XIIIB

REPORT

ON THE

ADMINISTRATION OF CRIMINAL JUSTICE

IN THE

PUNJAB AND ITS DEPENDENCIES

DURING THE YEAR

1884.

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Proceedings of the Hon'ble the Lieutenant-Governor of the Punjab, in the Home (Judicial) Department,—
No. 626, dated 15th July 1885.

READ—

Report on the Administration of Criminal Justice in the Punjab for the year 1884.

REMARKS.—Owing to the introduction of certain amended forms of Criminal Returns prescribed by the Government of India, and the inclusion of certain proceedings under the Criminal Procedure Code under the head of "Offences under special and local laws," there appears at first sight to have been a large increase in the number of offences reported during the year under review. But when allowance has been made for the difference in the preparation of the returns, it is satisfactory to observe that there has been a slight decrease since 1883 in the number of offences reported, and, as compared with that year, a diminution of 3,307 offences admitted to have occurred. The figures for the two years are, in 1883, offences reported 127,927, and admitted to have occurred 95,446, while in 1884 they are 127,871 and 92,139 respectively.

2. The number of complaints summarily dismissed under Section 203 of the Code of Criminal Procedure has risen, as compared with the year 1883, from 30,936 to 33,936; but while in that year 8,581 of such cases were referred to the Police, in the year under review only in 8,297 cases was this procedure adopted. The disposal by Magistrates of a larger percentage of complaints without the intervention of the Police is satisfactory, and indicates that greater attention is paid to the provisions of Section 202 of the Criminal Procedure Code; but at the same time the Lieutenant-Governor is unable to understand the great divergence of practice that appears to obtain in different districts;—for instance, whereas in Delhi out of 1,384 complaints dismissed only 70 were referred to the Police for investigation, in Gujrát 1,201 were summarily disposed of by the Magistrates without reference, and no less than 1,063 were referred to the Police for enquiry. Greater uniformity of practice seems desirable, and District Magistrates should watch the procedure of their subordinates.

3. The percentage of offences brought to trial, namely, nearly 83 per cent. of those admitted to have occurred, is the same as during the previous year. The Amritsar and Ferozepore statements show that all cases returned as true were brought to trial. As the Judges remark, this result appears incredible, and His Honor will be glad to be informed of the result of the enquiry which it is stated will be made. This matter was the subject of observation in the Review of the Criminal Administration Report of last year with reference to certain districts in which the percentage was abnormally high, and in the absence of explanation it appears that sufficient attention is not bestowed upon the accurate preparation of the returns.

4. With regard to the classification of offences, it is noticeable that whereas the number of cases of hurt has risen by 1,878, that of cases of assault has diminished by 1,859. This transfer is stated to be the result of the instructions issued by the Judges at the close of 1883, to the effect that Section 352 of the Indian Penal Code is not applicable to those cases in which actual hurt is caused to the complainant. With the exception of cases of mischief, there has been a satisfactory decrease in the number of offences against property, the decrease being most marked in the districts of Umballa, Amritsar, Ferozepore and Ráwalpindi.

The increase in the number of cases of mischief is only noticeable from the fact that it is due to cases involving aggravated circumstances, which increased from 690 to 937; the number in the Peshávar and Hazára Districts having risen from 143 in 1883 to 263 in 1884. Mischief, in its various forms, whether it be committed by cattle poisoning, rick-burning or otherwise, is an offence which is easily committed, but with difficulty detected; in some parts of the Province the commission of it is a favourite means of prosecuting a private feud, or of retaliating for a real or supposed injury, and it is desirable that, if possible, some

method should be found of checking in certain districts the prevalence of this form of crime. In Hazára it appears from the Deputy Commissioner's report that rick-burning and cattle-poisoning have much diminished owing to the conviction of a large number of accused persons by Councils of Elders, to whom the cases were referred under the Frontier Regulation ; but it is to be regretted that, owing to the great difficulty of obtaining reliable evidence in such cases, the regular tribunals are unable to cope with a class of crime that deserves severe punishment. Proposals have been made for an amendment of the law on this subject in the Punjab Laws Bill, and will eventually be brought to the notice of the Legislature. For the present, on grounds which have been elsewhere explained, it has been decided to defer the submission of the Bill to the Government of India.

5. There has been a slight decrease in the number of offences affecting human life, but the number of murders is rather in excess of that of the year 1883, and the Lieutenant-Governor again regrets to have to notice the unsatisfactory statistics for the Pesháwar District, which contrast unfavourably even with those of the past year ; for, while 77 cases were reported in the year under review as against 73 in 1883, in only 46 cases (against 53 in 1883) were any persons brought to trial. The number of persons convicted was indeed in 1884 19 and in 1883 only 14 ; but, viewing the results obtained in the adjacent district of Ráwalpindi, where out of 30 true cases 27 were brought to trial, and 17 persons convicted, and making allowances for the fact that the Pesháwar District is contiguous to the frontier, Sir Charles Aitchison considers that determined efforts must be made to prevent the sacrifice of human life which is now a reproach to the Administration. The attention of the Commissioner of Pesháwar has already been called to this subject, and he has been requested to favour the Lieutenant-Governor with a clear and exhaustive report on the whole question of the Criminal Administration of the Pesháwar District. If the present lawlessness is, as has been stated, partly due to the apathy and remissness of the Kháns and other leading men, the duties and responsibilities of their positions must be brought home to them. The recent establishment of the Border Militia and the consequent separation of frontier watch and ward from the ordinary duties of the regular constabulary force should tend to foster the general efficiency of the District Police, and His Honor trusts that the statistics of next year will show more satisfactory results.

6. Turning to offences under special and local laws, the Lieutenant-Governor is glad to see that there has been a diminution in the number of offences against the Municipal Acts, and that the decrease of the prosecutions is generally attributed to greater willingness on the part of the people to conform to sanitary rules.

With regard to the Cantonment Act it is remarkable that, although the number of cases returned as true shows a marked decrease of 763, the number of persons convicted was in excess of that of the previous year. Umballa and Ráwalpindi are chiefly responsible for this increase, but no explanation has been offered in either case, although in Ráwalpindi the convictions during the year under report were more than double those of the preceding year.

The number of prosecutions under the Canals Act has again receded. The increase or diminution of offences under this Act appears to be directly dependent upon the scarcity or abundance of water in the canals, and the year under report was more favourable in this respect than its predecessor.

Under the Forest Act, while there was an increase in the number of prosecutions, the number of persons convicted was rather less than the year 1883.

The Deputy Commissioner of Hazára thinks that the Forest Regulation in force in that district (which for purposes of criminal returns is included in the term Forest Act) requires amendment. The general subject of the forest law in the Hazára District has already attracted the attention of Government, and is being dealt with in separate correspondence.

There has been a large decrease in the number of prosecutions and of convictions under the Excise and Opium Acts. The causes assigned are various In

Lahore the decrease under the former Act is stated to be due to the energetic measures taken to prevent illicit distillation and the deterrent effect of certain convictions. The decrease in Amritsar and Lahore of prosecutions under the Opium Act is attributed to the defective wording of the rules in consequence of which certain acts intended to be treated as offences cannot be punished as such. The Lieutenant-Governor will be glad to receive the opinion of the Financial Commissioner on both matters noticed in paragraph 18 of the report, *viz.*, the decrease of convictions in the Jullundur District and the supposed defect in the Opium rules, and an extract from the report and this review will be forwarded to him accordingly.

7. There has been a further slight falling off in the number of persons called upon to furnish security to keep the peace, the figures being 4,316 compared with 4,716 during the year 1883; but in the number of persons called upon to furnish security for good behaviour there has been a marked decrease, namely, 3,256 compared with 5,057 in the previous year, and 5,198 during 1882.

Since the introduction of the present Code of Criminal Procedure at the beginning of the year 1883, the power of demanding security for good behaviour has not only been considerably curtailed, but, where the power exists, certain preliminary formalities must be complied with before an order can be passed demanding such security. Sir Charles Aitchison was prepared to find a large diminution in the number of persons ordered to furnish security for their good behaviour during the year 1883, and the fact that this result of the new criminal procedure has not been observed till now points to the possibility that Police Officers and Magistrates did not at first in all cases fully understand the changes that had been introduced into the law, but that its provisions are now more generally adhered to.

8. The subject of the award of compensation for frivolous and vexatious complaints called forth some remarks in paragraph 6 of the review of last year's report, and the Lieutenant-Governor invited the attention of the Judges to the question of the desirability of raising the initial fee on criminal complaints. This course the Judges are unable to recommend, but His Honor is glad to observe that Sessions Judges and District Magistrates have been asked to see that subordinate Magistrates act up to the existing instructions with regard to the award of compensation and the preliminary examination of complainants. That this examination is still too often conducted in a purely formal and perfunctory manner seems proved by the statistics given in paragraph 20 of the report under review. It seems incredible that, if satisfactory preliminary examinations had been made in the cases of the 338 complaints laid in the Gujránwála District, only 18 should have been summarily dismissed, and yet only 13 persons convicted in the 320 remaining cases.

9. The general results of trials in Magistrates' Courts were that 40 per cent. of the total number of persons brought up were convicted, committed or referred. This is 2 per cent. less than in the previous year and 5 per cent. less than in 1882. The most unsatisfactory result is in the district of Hoshiárpur where the percentage of successful prosecutions is only 19 against 20 in the previous year. Gurdáspur, Amritsar and Ludhiána follow with the low percentages of 23, 24 and 25. The failure to procure convictions is most noticeable in the Courts of Tahsíldárs where the percentage of successful prosecutions is only 33. This result is very possibly due to the admission of a large number of complaints without the necessary sifting of their truth or falsehood.

10. The average duration of trials in Magistrates' Courts throughout the Province was, as in previous year, 8 days. The Amritsar District is, the Lieutenant-Governor regrets to note, still conspicuous as showing the highest average, namely, 20 days. The Judges have already commented upon this in a separate communication.

11. The number of cases disposed of by Honorary Magistrates was 13,944, which is less than during the previous year, but these gentlemen have clearly

rendered very considerable assistance to the paid Magistracy, and deserve the thanks of Government.

12. Under the new Judicial scheme it is intended that Tahsíldárs shall take up an average number of 600 cases annually, and they will, as far as practicable, be given criminal and revenue in preference to civil powers. The return of cases disposed of by Tahsildars for the period under review does not call for further remark.

13. As the Judges have noticed, there is considerable diversity of practice in the matter of the amount of original criminal work disposed by District Magistrates The amount of leisure that a Deputy Commissioner has at his disposal for trying criminal cases varies considerably in different districts, according to the nature of his other work, and it would be most undesirable to lay down any strict rules upon the subject.

14. With regard to the working of the Frontier Regulations, and the disposal of cases by Councils of Elders, it is observed that in the district of Dera Ismail Khan the percentage of convictions in such references has fallen from 100 to 81, which is the same percentage as in Dera Ghází Khan. In Bannu and Kohát, where such references are much more freely resorted to, the percentages of convictions are only 35 and 39 ; the salutary effects of the convictions by jirgas in Hazára in cases of aggravated mischief have already been noticed.

15. The total number of witnesses examined by the Courts was slightly less than in 1883. The Lieutenant-Governor observes with satisfaction the improvement that has been effected in the matter of the detention of witnesses, but regrets that the returns of the Pesháwar District and of the Ráwalpindi Division regarding the restricted dieting of witnesses still show room for much improvement. In the Pesháwar District no witnesses were dieted by the Police, and only 20 per cent. of the whole number by the Magistrates. As the Sessions Judge remarks, this apparently trifling matter has no doubt its effect in tending to render criminal administration unsuccessful. His Honor will be glad to learn the result of the reference that has been made to the District Magistrate on this subject.

16. The particulars of the sentences of imprisonment have been much the same for several years, and call for no remarks. The percentage of realizations of fines has fallen from 79 to 78, while of the fines imposed the highest averages are as usual in the Frontier Districts, because fines under the Regulations are included. The average amount of fine per head in the Montgomery District has fallen from Rs. 17 to 9, but the percentage realized has only increased from 39 to 42. The Lieutenant-Governor concurs with the Judges in thinking that greater care requires to be bestowed upon realizations in that district.

17. Although the number of appealable sentences was considerably less than in the preceding year, the number of appeals presented to District Courts has increased. Ninety-five per cent. of the appeals were decided by the District Magistrates themselves, and in all but eight districts they kept the whole criminal appellate work in their own hands. That District Magistrates should keep this work under their own immediate control is most desirable, but in view of the continued absence of the Deputy Commissioner from head-quarters of his district during the cold weather, it is necessary in some cases to arrange that some officers at head-quarters shall also be invested with appellate powers to take up the work ordinarily falling to the District Magistrate. It is understood that the Judges will make specific recommendations as regards the investiture of officers with such powers whenever they consider them required in particular districts.

18. Finally, the Lieutenant-Governor desires to express his appreciation of the labours of the Judges in scrutinizing and supervising the procedure of the Criminal Courts subordinate to them.

ORDER.—Ordered that a copy of the foregoing be forwarded to the Registrar of the Chief Court, Punjab, for the information of the Judges and for circulation with the Report

Ordered also that the Review be printed and published in the *Punjab Government Gazette*.

By order of the Hon'ble the Lieutenant-Governor of the Punjab,

C. L. TUPPER,

Offg. Secretary to Government, Punjab.

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Appendix.

Extracts from the Annual Criminal Reports of Sessions Judges and District Magistrates.

Offences.	1883.	1884.
Hurt ...	5,190	7,068
Criminal force and assault	24,514	22,655
Total ...	29,704	29,723

This transfer is probably the direct result of the instructions issued in the Court's Book Circular No. XVI of 1883, in which it was pointed out that Magistrates were apt to confound Sections 352 and 323 of the Indian Penal Code, and that the former section does not apply to cases where the offender uses criminal force which actually causes hurt to the person against whom it is used.

Offences affecting life.

11. The number of offences affecting life and of persons disposed of is almost the same as in the preceding year; but the ratio of persons convicted has increased.

Murder.

12. The comparative results of the working of the Police and of the Courts in respect of cases of murder for the two years will be seen from the annexed statement.

1	2	3	4	5	6	7	8
	Cases.		Persons disposed of by the ordinary tribunals.				
Year.	Returned as true.	Brought to trial.	Brought to trial.	Convicted	Acquitted, died, &c.	Total disposed of	Remaining under trial.
1883	344	332	664	190	355	545	119
1884	347	312	613	212	317	529	84

The figures for the Peshawar District contrast unfavorably even with those of 1883, for, although 77 cases were reported as true against 73 in 1883, only 46 (against 54 in 1883) were brought to trial. The number of persons convicted was 19 in 1884 and 14 in 1883, the numbers acquitted, discharged, &c., being 70 and 64 respectively. With these figures may be compared the details of the neighbouring Rawalpindi District, where out of 30 true cases, 27 were brought to trial, and there were 17 convictions to 23 acquittals, &c. In paragraphs 10 and 11 of the Review of last year's Report, His Honor commented on the unsatisfactory results under this head in the Frontier Districts, particularly Peshawar.

From the statement given at the beginning of this paragraph it will be seen that the proportion of persons convicted to persons disposed of on charges of murder rose from 35 per cent. in 1883 to 40 per cent. in 1884. Of 523 persons disposed of last year by the ordinary tribunals, 311 were acquitted on trial and 212 were convicted. In addition to the above 177 persons were tried under the Frontier Regulation by *Jirgas* or Councils of Elders, and of these 125 were convicted and 52 discharged. The details of disposals by the ordinary tribunals and by *Jirgas* for the various Divisions are as follows :—

Division.	*Persons disposed of by the ordinary tribunals*		*Persons disposed of by Councils of Elders.*	
	Acquitted or discharged.	Convicted.	Discharged.	Convicted.
Delhi ...	19	10	...	...
Hissar ...	4	3	...	...
Umballa ...	7	19	...	...
Jullundur ...	6	12	...	...
Amritsar ...	15	24	...	...
Lahore ...	14	19	...	...
Rawalpindi ...	79	59	...	...
Mooltan ...	14	18	...	...
Derajat ...	44	19	4	52
Peshawar ...	109	29	48	73
Total ...	311	212	52	125

The above Statement has been prepared from the district returns, which have been totalled according to the old Sessions Divisions as they were constituted during the first ten months of the year.

13. The figures under the other heads of offences affecting human life require no comment, as they differ but little from those of last year. As to minor offences against the person, it has already been remarked (paragraph 10) that a large increase in the number of true offences under the head of "Hurt" has been counterbalanced by a corresponding decrease in cases of "Criminal force and assault."

Minor offences against the person.

The following statement will show that the increase has principally taken place in the less serious class of cases of hurt.

Year.	Cases of hurt.		Criminal force and assault.	Total of Cols. 3 & 4
	Serious.	Minor.		
1883 ...	933	4,257	24,514	28,761
1884 ...	1,045	6,027	22,655	28,678

14. Last year's increase of 8 per cent. in the number of offences against property has been followed by a decrease of 3 per cent. in the year under report, the figures being—

Offences against property.

1883	32,557
1884	31,513

This decrease is considerable under all heads except "Mischief," which shows an increase.

The decrease is most marked in the Districts noted in the margin. The District Magistrate Umballa attributes the falling off in his District to the prevalence of fever during the last few months of the year. In Amritsar the cause assigned is favorable harvests; while in Ferozepore and Rawalpindi no reason is given. It is possible that the fact noted in paragraph 7 that the Amritsar and Ferozepore returns show all cases which were admitted to have occurred as having been brought to trial may have something to do with the apparent decrease in these Districts.

District.	Cases returned as true.		
	1882	1883	1884
Umballa ...	1,610	2,327	1,772
Amritsar ...	1,359	1,652	1,016
Ferozepore ...	1,145	1,200	785
Rawalpindi ...	1,836	2,020	1,711

The most considerable increases occurred in the two Districts noted in the margin. The Jhelum figures differ but little from those of 1882; and the variations in Montgomery are not accounted for by the District Magistrate. In few Districts is there so much difference between the figures of the two years as to require special explanation.

District.	Cases reported as true.		
	1882	1883	1884
Jhelum ...	1,273	1,059	1,332
Montgomery ...	941	866	1,220

15. The following statement gives, in the same form as last year, the details for each District of true cases and of cases brought to trial, arranged according to the main groups of offences under Chapter XVII Indian Penal Code.

Details for each District.

District.	*Theft and receipt of stolen property.*				*Serious cases of criminal trespass.*				*Robbery and dacoity.*				*Other cases.*				*Total.*			
	Cases returned as true.		Cases brought to trial.		Cases returned as true.		Cases brought to trial.		Cases returned as true.		Cases brought to trial.		Cases returned as true.		Cases brought to trial.		Cases returned as true.		Cases brought to trial.	
	1883.	1884.	1883.	1884.	1883.	1884.	1883.	1884.	1883.	1884.	1883.	1884.	1883.	1884.	1883.	1884.	1883.	1884.	1883.	1884.
Delhi	331	416	297	303	283	314	88	96	3	3	3	2	126	172	126	167	743	905	514	568
Gurgaon	226	252	181	192	165	210	44	75	7	6	1	4	95	119	91	119	493	587	317	390
Karnal	427	452	247	226	255	302	73	66	11	8	7	5	145	168	118	132	838	930	445	429
Hissar	263	296	197	214	133	123	53	79	11	5	9	4	51	52	50	51	458	476	309	348
Rohtak	277	210	209	168	218	181	85	57	6	11	4	7	71	111	58	109	572	513	356	341
Sirsa (ten months)	414	304	216	181	80	50	32	20	11	5	11	5	67	78	63	66	572	437	322	272
Umballa	1,110	753	492	480	862	662	101	109	8	10	4	4	347	347	313	321	2,327	1,772	910	914
Ludhiana	285	231	243	221	306	288	82	77	13	9	12	9	448	428	446	428	1,052	956	783	735
Simla	165	156	137	126	29	16	10	17	...	2	...	2	75	52	76	53	267	226	223	198
Jullundur	338	363	190	142	668	558	75	72	9	9	4	4	224	231	218	226	1,239	1,161	487	444
Hoshiarpur	278	284	207	205	448	424	61	70	8	6	8	6	394	342	402	343	1,128	1,056	678	624
Kangra	233	293	218	213	74	109	48	50	1	1	1	1	276	275	272	273	584	678	539	537
Amritsar	606	407	431	407	437	105	122	105	17	8	15	8	502	496	500	496	1,562	1,016	1,068	1,016
Gurdaspur	308	350	226	116	348	442	66	63	11	13	7	8	429	325	412	300	1,096	1,130	711	487
Sialkot	770	602	457	427	694	767	73	95	5	4	2	1	556	683	442	558	2,025	2,056	974	1,081
Lahore	1,078	1,113	729	728	737	633	180	183	15	14	16	14	255	231	264	238	2,085	1,991	1,189	1,163
Gujranwala	383	413	274	295	226	251	71	71	4	5	4	4	242	266	163	184	855	935	512	554
Ferozepore	538	353	379	353	278	81	91	81	8	4	8	4	376	347	370	347	1,200	785	848	785
Rawalpindi	762	572	415	285	647	527	140	114	11	15	8	12	600	597	554	528	2,020	1,711	1,117	939
Jhelum	339	473	278	289	378	492	136	136	9	8	8	8	333	359	329	320	1,059	1,332	751	753
Gujrat	364	354	287	274	326	279	62	69	2	6	2	5	112	118	113	127	804	757	464	475
Shahpur	264	213	206	198	170	213	45	40	3	8	3	8	154	185	155	185	591	619	409	431
Mooltan	817	933	490	577	418	458	156	124	7	2	4	1	393	427	313	341	1,630	1,820	963	1,043
Jhang	306	315	261	230	115	138	46	62	2	...	2	...	90	78	89	75	513	531	397	367
Montgomery	618	926	437	329	121	171	64	58	...	3	...	2	127	120	105	76	866	1,220	606	465
Muzaffargarh	313	316	228	197	278	303	105	110	4	3	3	3	137	164	87	103	732	786	423	413
Dera Ismail Khan	252	245	158	161	139	134	71	70	9	10	3	3	118	105	87	71	518	494	319	305
Dera Ghazi Khan	396	345	248	235	147	164	49	60	9	3	4	4	183	174	169	159	735	686	470	458
Bannu	451	337	205	179	290	305	58	66	15	14	6	4	416	450	140	155	1,172	1,106	409	404
Peshawar	464	351	373	338	632	621	113	145	41	20	16	18	274	312	209	288	1,411	1,304	711	789
Hazara	210	228	169	148	124	167	47	57	9	28	4	5	327	386	251	213	670	809	471	423
Kohat	259	304	193	192	251	247	72	64	40	35	11	8	188	142	162	141	738	728	438	405
Total	13,845	13,160	9,278	8,629	10,272	9,735	2,518	2,561	309	278	190	173	8,131	8,340	7,147	7,193	32,557	31,513	19,133	18,556

16. Under the head of theft and receipt of stolen property there has been an appreciable decrease in the number of cases admitted and of those brought to trial. The only points which call for remark in the figures for particular Districts are, that in Gurdaspur an increase in the number of true cases has been accompanied by a reduction of the cases brought to trial to nearly half the number returned in 1883. And a somewhat similar result is shown by the figures of the Montgomery District; but in the Gurdaspur District the number of persons brought to trial has only decreasd from 276 to 254. In Rawalpindi there has been a marked decrease both in the number of cases reported and of cases brought to trial; and a large increase in the Mooltan District. No special causes are assigned for these results.

Theft and receipt of stolen property.

17. The number of serious cases of criminal trespass admitted to have occurred shows a decrease, while the number of cases brought to trial is almost the same in both years. The variations in the District figures do not call for remark.

Serious cases of criminal trespass.

18. Cases of robbery and dacoity have still further decreased in the year under report. This form of crime is most common in the Peshawar Division and in Bannu; and the decrease in the number of admitted cases which is shown in the Peshawar District may be regarded as satisfactory, especially as it is accompanied by an increase in the number of cases brought to trial. The larger number of true cases under this head shown in the Hazara returns is attributed by the District Magistrate to disturbances on the Agror border. There has been for the whole Province an increase in the proportion of convictions under this head.

Robbery and Dacoity.

19. The only other point calling for remark under Chapter XVII is the increase in the number of cases of mischief. This is not considerable; but it has occurred almost entirely in cases of mischief with aggravating circumstances, which increased from 690 to 937; the number in the Peshawar and Hazara Districts having risen from 148 in 1883 to 263 in 1884. In the latter District only 32 cases were brought to trial before the regular tribunals out of 153 admitted to have occurred, as against 26 out of 79 in 1883; but, as will be noticed further on in this Report, the District Magistrate has made use, with good effect, of his powers of reference to a *Jirga* in such cases.

Other offences against property.

20. The most numerous and important of the remaining classes of offences under the Indian Penal Code (see table in paragraph 8) are cases relating to marriage (Chapter XX). The returns show a small decrease in the number of these admitted to have occurred, and of persons brought to trial and convicted. Nearly 40 per cent. of the complaints brought under this chapter are summarily dismissed; and still the proportion of persons convicted to those brought to trial is only 12 per cent.

Offences under Chapter XVIII to XXII, Indian Penal Code.

District.	*Number of Complaints.*		*Number of persons.*	
	Laid.	Summarily dismissed.	Brought to trial.	Convicted.
Gujranwala ...	338	18	281	13
Shahpur	177	12	217	24
Kohat	142	5	169	35

The small number of complaints summarily dismissed in the Districts noted in the margin, would seem to indicate that the Courts were in the habit of issuing process without a proper examination of the complainants. The Gujranwala figures may be compared with those of the neighbouring Districts.

District.	*No. of Complaints.*	
	Laid.	Summarily dismissed.
Amritsar	493	239
Gurdaspur... ...	483	228
Sialkot	504	245

Similar remarks may be made concerning cases under Chapter XXII (criminal intimidation, insult and annoyance). It is remarkable that in the Montgomery District every one of the complaints (159 in number) brought under this Chapter should have been summarily dismissed, while process issued on every complaint in Dera Ghazi Khan (149) and in Hazara (52). Explanation on these points will be called for.

Offences under Special and Local Laws.

21. If the details of the proceedings under the Criminal Procedure Code, to which reference has been made in paragraph 3, be excluded from the figures of this year, it will be seen that the number of offences under Special and Local Laws admitted to have occurred has decreased from 20,517 to 18,383, or by 10 per cent., and there has been a corresponding fall in the number of persons punished. The following table gives the variations under the principal heads:—

	Cases returned as true.		*Persons convicted.*	
	1883.	1884.	1883.	1884.
Arms Act	233	210	192	187
Canals and Drainage Act	718	577	1,148	858
Cantonments Act	3,601	2,838	5,218	5,280
Cattle Trespass Act	1,332	1,466	707	715
Contract (workmen) Act	112	103	8	8
Criminal Tribes and Eunuchs Act ...	705	563	477	431
Excise Act	324	255	368	279
Forest Act	947	1,022	2,676	2,585
Gambling Act	181	177	719	627
Hackney and Stage Carriages Act ...	133	311	142	358
Municipal Act	3,445	3,125	4,359	3,932
Opium Act	340	255	369	273
Police Act	6,827	5,631	11,165	8,341
Prostitutes (under the Cantonments Act)	132	301	121	458
Punjab Laws Act	730	541	996	697
Railways Act	262	532	274	501
Salt and Saltpetre Act	49	90	71	150
Stamp Act	170	123	188	108

Canals Act.

22. The number of prosecutions and of persons convicted for offences against the provisions of the Canals Act show a considerable decrease from 1883, and agree with the figures of 1882. The details for the three Districts which usually contribute the greater part of these cases are as follows:—

District.	Cases brought to trial in 1884 (and returned as true).	Persons.		
		1884.		1883.
		Brought to trial.	Convicted.	Convicted.
Gurgaon	128	187	147	186
Karnál	61	153	100	150
Dera Ghazi Khan... ...	232	488	341	412

These Districts account for 421 cases out of a provincial total of 577. An increase of offences under this head is generally recognized as the natural result of scarcity of water in the canals, and the year under report was more favorable in this respect than the preceding one. The Dera Ghazi Khan District alone contributes upwards of 40 per cent. of the whole number of convictions.

Cantonments Act.

23. Although the number of cases under the Cantonments Act (exclusive of proceedings against prostitutes) shows a decrease, the number of persons punished for breach of the Rules is slightly in excess of that for 1883. The most marked variations have been—

Cantonment.	Persons Convicted.	
	1883.	1884.
Umballa	891	1,188
Ferozepore...	1,381	730
Rawalpindi	402	891

The working of the penal provisions of the Rules in the Ferozepore Cantonment was the subject of remark in the Report of last year and in the Review; and the results for the present year have already been communicated for His Honor's information. No attempt is made in the District Reports to explain the large increase in the number of convictions in Umballa and Rawalpindi.

Criminal tribes.

24. A decrease in the number of convictions under the Criminal Tribes Act is said by the District Magistrate, Ludhiana, to be due to increased vigilance on the part of the Police in not allowing the members of the tribes to absent themselves; while an increase in prosecutions under the Act is accounted for by the District Magistrate Karnal by the necessity of instituting proceedings against a number of Tágris who have absconded from their villages.

Forest Act.

25. There was an increase in the number of prosecutions under the Forest Act; but the number of persons convicted was somewhat less than in 1883. Of the total number of convictions three-fifths appears in the Kángra District returns; and next to Kángra, Rawalpindi and Hazara furnish the greatest number, as will be seen from the statement in the margin. The District Magistrate, Hazara, remarks on the satisfactory decrease in the number of cases under the Forest Regulation in force in that District; but it will be seen that the number of persons convicted in 1884, was far in excess of that for 1883. In the opinion of the District Magistrate the Regulation requires amendment.

District.	Number of Persons			
	Disposed of		Convicted.	
	1883.	1884.	1883.	1884.
Kangra	2,258	1,870	1,744	1,532
Rawalpindi	584	649	392	322
Hazara	227	394	101	240

Hackney Carriages.

26. The increase in the number of convictions under the Hackney Carriage Act is due to greater activity on the part of the local authorities of Rawalpindi. It is to be regretted that here, as under other heads, no detailed explanation of the figures has been attempted by the Magistrate of that District.

Municipal Act.

27. There has been a considerable decrease in the number of prosecutions and in the number of persons convicted for breach of municipal bye-laws. Of the total number of persons punished, 1022, or more than a quarter, appear in the Rawalpindi returns, while for the Districts which contain the three largest cities of the Province, the figures are as follows :—

Delhi ... 718 | Amritsar .. 94 | Lahore ... 145

Last year the number of convictions in the Rawalpindi District was 1229. In most Districts the decrease of these prosecutions is attributed to greater willingness on the part of the people to conform to sanitary rules.

Excise and Opium Acts.

28. There has been a large decrease in the number of prosecutions and of convictions under the Excise and Opium Acts. Under the former 23 persons were convicted in the Jullundur District as against 66 in 1883; and for Lahore the figures are 17 and 44. In Amritsar 16 persons were convicted out of 31 disposed of under the Opium Act, as against 93 out of 187 in 1883; and in Lahore the number of convictions fell from 53 to 36. The falling-off (under the former head) in the Jullundur District is ascribed to the fact that, according to recent rulings of the Chief Court, the possession of *lâhan* does not constitute an offence. In Lahore the causes assigned are the energetic measures taken by the excise authorities to prevent illicit distillation; and the deterrent effect of certain convictions. The decrease in Amritsar and Lahore of prosecutions under the Opium Act is attributed to the defective wording of the Rules, in consequence of which certain acts intended to be treated as offences could not be punished as such.

Police Act.

29. The returns of last year showed an increase in the number of prosecutions under the Police Act, which was attributed to more vigorous enforcement of the provisions of Section 34. This year the numbers of cases and of persons convicted have fallen below the figures of 1882. In the Rawalpindi District the number of persons disposed of fell from 1174 (of whom 1083 were convicted) in 1883, to 329 (291 convicted) in 1884; and the fall in the Delhi Division was (in persons convicted) from 1277 to 670. Lahore, Simla, Amritsar, Jullundur and Hissar are the Districts which show the largest number of convictions, and in each of these they amount to more than 600.

The District Magistrate Delhi remarks that the attention of the Police was directed to the unusual increase of these offences in 1883; and that the decrease in prosecutions from 629 in 1883 to 253 in 1884 must be attributed to the consequent better working of the Police Act. Neither the Sessions Judge nor the District Magistrate notice the decrease in Rawalpindi.

Prostitutes.

30. Convictions of prostitutes under Act III of 1880 increased in Mooltan from 4 to 123; and in Peshawar from 7 to 108.

Punjab Laws Act.

31. The decrease in the number of convictions under the Punjab Laws Act occurred mainly in the following localities:—

	1883.	1884.
Hoshiarpur District ...	96	9
Amritsar Division ...	171	55
Rawalpindi District ...	63	1

The District Magistrate of Hoshiarpur explains the decrease as being due to his orders that charges against *Chaukidars* were not to be brought without his sanction. No explanation is given for Rawalpindi and the Amritsar Division.

Railway Act &c.

32. The increase in prosecutions under the Railway Act has taken place mostly in the Lahore and Rawalpindi Districts. The variations under the remaining heads appear to call for no remark.

C.—Miscellaneous Proceedings under the Criminal Procedure Code.

Proceedings under the Code of Criminal Procedure.

33. The following comparative statement shows the proceedings under the Criminal Procedure Code in the years 1883 and 1884.

Nature of Proceedings.	Year.	Total number of cases disposed of.	Total number of persons disposed of.	Number of persons convicted.
Proceedings against witnesses under Sections 87 to 89 and 485	1883	1	1	1
	1884	22	23	21
Proceedings under Chapter VIII to prevent breach of the peace	1883	2,089	8,843	4,716
	1884	2,402	8,838	4,316
Proceedings under Chapter VIII to obtain security for good behaviour	1883	4,329	6,300	5,057
	1884	3,258	4,370	3,256
Proceedings relating to public nuisances, Chapter X	1883	186	365	114
	1884	79	231	54
Disputes as to immoveable property, Chapter XII	1883	115	347	94
	1884	144	428	130
Frivolous or vexatious complaints summarily dealt with under Section 250	1883	951	1,095	1,095
	1884	994	1,145	1,144
Non-attendance of jurors or assessors, Section 332	1883	1	1	...
	1884	...	...	...
Contempts of Court under Section 480 ...	1883	151	176	156
	1884	70	81	69
Maintenance, Chapter XXXVI	1883	2,593	2,593	408
	1884	2,217	2,217	434
Forfeiture of bonds under Chapter XLII ...	1883	194	257	193
	1884	228	328	245

34. There has been a further falling-off in the number of persons called upon to furnish security to keep the peace, the figures for the last four years of persons called upon to furnish security being :—

Proceedings under Chapter VIII to prevent breach of the peace.

1881.	1882.	1883.	1884.
7,514	6,692	4,716	4,316

The Frontier Divisions alone (that is the Peshawar and the old Derajat Divisions) contribute 2,989 of the 4,316 persons shown as convicted in 1884, (as against 2,985 in 1883), leaving only 1,327 for the rest of the Province. Of Districts Kohat shows an increase in the number of persons convicted from 605 to 1,179; Bannu, a decrease from 877 to 605; and Peshawar, a decrease from 917 to 769. In the Districts of Dera Ismail Khan, Dera Ghazi Khan and Hazara, comparatively little use was made of these provisions of the law, the total number of persons convicted in all three being only 437. The District Magistrate Kohat explains the more frequent use of the powers in his district by "the increase in the number of offences against public tranquility and the human body"; and the Sessions Judge Peshawar thinks that "the increase in crimes of violence to the person appear to justify increased action on the part of the Magistrates in this direction."

Of the whole number called upon to furnish security 111, or less than 3 per cent., were imprisoned in default, 30 remaining in prison for more than a month. Of the latter 15 appear in the returns of the Peshawar District; and all but one were in the Frontier Divisions. The average amount of security demanded was Rs. 123 against Rs. 134 in 1883, and varied from Rs. 25 in Hoshiarpur to Rs. 321 (from 27 persons) in Montgomery. It was high (though under Rs. 200) in all the Frontier Districts; and would appear excessive in the following :—

District.	No. of persons.	Averages amount of security.
Montgomery ...	27	321
Amritsar ...	98	251
Jhang ...	21	233

But in no case in these three Districts was it found necessary to imprison the person from whom security was demanded.

Security for good behaviour.

35. There has been a considerable decrease in the number of persons called upon to furnish security for good behaviour, the number being 3,256 against 5,057 in 1883. The total number of persons under inquiry was 6,290 in 1883, and 4,370 in 1884. The variations were most marked in the following districts:—

Name of District.	Persons put on trial.	
	1883.	1884.
Amritsar	1,003	140
Jhang	525	161
Gujranwalla	295	75

Last year the Amritsar District contributed 896, or 18 per cent., of the whole number of persons called upon to furnish security; and no reason appears to have been assigned for this high proportion. The powers were probably used in 1883 with too little discrimination, and the District Magistrate gives as the reason for the falling-off in the present year an order of one of his predecessors (Captain Massy) that no case was to be sent up under Section 110, Criminal Procedure Code, without the previous sanction of the District Magistrate. The District Magistrate, Jhang, attributes the decrease in his District to the large number of persons from whom security was taken in previous years, there being no necessity for renewing the bonds. The returns show that in 19 Districts the number of persons put on security for good behaviour was less than 100; in 10 more Districts it was between 100 and 200; while in Lahore it was 293; and in Mooltan 338.

The number of persons imprisoned in default of security was 543, or 16 per cent. of the whole number called upon to furnish security; and of these 305 were detained for more than a month, the corresponding figures of 1883 being 709 and 435.

The average amount of security demanded rose from Rs. 139 to Rs. 172; and was highest in the following Districts:—

District.	Number of persons.	Average security.	*Number imprisoned in default.*	
			For less than a month.	For more than a month.
Dera Ismail Khan	68	387	9	4
Jhang	158	378	8	2
Jullundur	89	360	28	21

In no other District was the average over Rs. 250. In the first two Districts named above the number of persons imprisoned in default is low, notwith-

standing the high average of security demanded. In Jullundur the number of persons imprisoned was high, but not so high as in the following districts :—

District.	Number of persons imprisoned		Average security demanded.
	For less than a month.	For more than a month.	
			Rs.
Umballa	44	34	100
Rohtak	41	23	165
Lahore	41	31	232
Jhelum	40	25	98
Sialkote	38	24	123

It is probable that the number of imprisonments in default depends less on the amount of security demanded, than on the opportunities given by the Courts for obtaining it.

Frivolous and vexatious complaints summarily dealt with under Sec. 250.

36. In paragraph 42 of last year's Report the subject of the award of compensation for frivolous and vexatious complaints was considered; and in paragraph 6 of the Review His Honor the Lieutenant-Governor recorded certain remarks as to the means of checking the abuse of the Criminal Courts which the increasing number of such complaints indicated. With reference to these remarks the Judges have been unable to recommend the raising of the initial fee upon complaints; but they have again drawn the attention of all Criminal Courts to (1) the necessity of a thorough preliminary examination of complainants; and (2) the provisions of the law relating to the award of compensation to defendants against whom frivolous or vexatious complaints are made. No further instructions on these subjects were required; and it rests with Sessions Judges and District Magistrates to see that the Subordinate Criminal Courts act up to those already issued.

The figures of the past year under this head differ but little from those of 1883, the number of cases disposed of being 994 against 951; and the number of persons convicted, 1,144 against 1,095. The number of convictions was highest in Ferozepore, 122 (against 6 in 1883); and in Mooltan, 114; but elsewhere it differed little from District to District. The Districts in which least use was made of this power by the Courts were Kohat (2), Peshawar (3), Dera Ismail Khan and Montgomery (6 convicted). The District Magistrate Jullundur is the only officer who has endeavoured to compare the number of cases in which compensation might have been awarded with those in which it has been; and his remarks are deserving of attention. He writes as follows:—

"It will be noticed that cases under Section 250 have fallen off, and the Courts have not freely availed themselves of the provisions of the law which are specially intended to act as a check upon the practice of instituting groundless or frivolous charges from motives of personal spite. I have recently called the attention of the Subordinate Courts to this important matter; and I trust that the returns of the present year will give a more satisfactory result. At the same time it is evident that, as there is a tendency on the part of complainants to lift themselves out of the penal provisions of Section 250, Criminal Procedure Code, by using Section 323 in preference to Section 352, the number of cases in which compensation is awarded must decrease in like proportion. Thus in the year under review, there were only 359 acquittals in assault cases; and, as compensation was awarded to 106 persons wrongly accused of an assault, it will be seen that the working is not, after all, particularly bad."

In the appendix of extracts will also be found some remarks by the Sessions Judge, Peshawar, on the same subject. In this connection must also be considered the remarks in paragraph 10 of this Report, and the instructions issued by the Court concerning the distinction between cases of hurt on the one hand, and of assault and criminal force on the other, as in the former compensation cannot be awarded.

Other proceedings.

37. The remaining heads do not call for much remark. The proceedings against recusant witnesses under Sections 87 to 89 &c., were all in the Rawalpindi District; and the District

Magistrate can assign no special reason for these prosecutions. The number of persons convicted for contempt of court was only 69 as against 156 in 1883, the decrease being probably due to the continued attention bestowed by District Magistrates on the use made by the Subordinate Courts of their powers under this section.

Most of the cases of dispute as to immoveable property appear in the returns of the Peshawar District.

D.—General results of Trials in Magistrates' Courts.

Persons brought to trial.

38. The total number of persons brought before Magistrates during the year under report was 172,609, as against 183,418 in 1883 and 177,452 in 1882. The manner in which these persons were brought up on trial is shown in the following statement :—

	Number.		Percentage.	
	1883	1884	1883	1884
Under arrest by Police ...	63,900	57,836	35	33
Upon warrant	14,787	12,795	8	8
On summons	98,783	97,437	54	56
Voluntarily ...	5,949	5,541	3	3

The slight falling-off in the proportion of persons brought before the Courts by the Police is probably due to the fact that the decrease in crime, which marks the year under report, has taken place principally in offences against property.

Persons for disposal and how disposed of.

39. The number of persons dealt with by Magistrates during the year under report (including those awaiting trial at the close of 1883) was 173,874, and the manner in which they were dealt with is shown below :—

	Number.	Percentage.
Died or escaped	125	...
Transferred	50	...
Discharged or acquitted for want of prosecution	52,826	30
Discharged or acquitted on other grounds ...	52,132	30
Convicted, committed or referred	68,741	40

The proportion of persons convicted &c. is 2 per cent less ; and that of persons discharged or acquitted after trial, 2 per cent greater than in 1883.

Proportion of persons convicted &c. in the various Districts.

40. The following statement shows the percentages of the total number of persons convicted, committed or referred in each District of the Province during 1883 and 1884.—

District.	Percentage of persons convicted, committed or referred.		District.	Percentage of persons convicted, committed or referred.	
	1883	1884		1883	1884
Delhi ...	46	45	*Rawalpindi* ...	43	39
Gurgaon ...	37	36	Jhelum ...	48	34
Karnál ...	53	46	Gujrat ...	25	31
Hissar ...	60	54	Shahpur ...	46	31
Rohtak ...	56	47	*Mooltan* ...	55	59
Sirsa ...	61	58	Jhang ...	53	34
Umballa ...	42	46	Montgomery ...	53	48
Ludhiána ...	28	25	Muzaffargarh ...	50	44
Simla ...	74	76	*Dera Ismail Khan* ...	64	62
Jullundur ...	32	35	Dera Ghází Khan ...	49	47
Hoshiárpur ...	20	19	Bannu ...	49	49
Kángra ...	51	50	*Peshawar* ...	60	49
Amritsar ...	34	24	Hazára ...	39	42
Gurdáspur ...	19	23	Kohat ...	50	61
Siálkot ...	41	33			
Lahore ...	39	40			
Gujránwála ...	39	36			
Ferozepore ...	38	32	Total ...	42	39

As in previous years the percentages are lowest in Hoshiarpur (19) and Gurdaspur (23), the latter District showing a higher proportion than in 1883. The percentage is also remarkably low in Amritsar (24) and in Ludhiana (25). In 21 Districts it lies between 30 and 50, and in the remaining six it is over 50. The Districts which showed the greatest falling-off were :—

District.	1883.	1884.
Jhang ...	53	34
Shahpur ...	46	31
Jhelum ...	48	34
Peshawar ...	60	49
Amritsar ...	34	24

The percentage of convictions must of course depend upon the nature of the cases which come before the Courts of the various Districts. The District Magistrate Hoshiarpur explains that, if cases of assault and under certain other heads be excluded, the percentage of persons convicted is 36 as against 45 last year, but he gives no reason for the falling-off. The remarks of the District Magistrate Gurdaspur on the subject will be found amongst the extracts. An examination of the details for these two Districts shows that the proportions of persons convicted to those tried for offences under the generall heads of "theft" "receiving stolen property" and "house-breaking" is at east equal to the Provincial average under these heads. In Jhang the fall in the percentage of convictions is attributed to the Criminal Courts issuing process on complaints without proper examination of complainants. In Shahpur the low percentage is said to be due to the inferior way in which the Police prepare cases, and the want of proper prosecution. The matter is not noticed in the reports of the other three Districts.

Results of trials in Courts of Magistrates of different denominations.

41. The following statement shows the percentages of convictions in the various grades of Courts throughout the Province :—

		Number of persons disposed of.		Percentage of persons convicted, committed or referred.	
		1883.	1884.	1883.	1884.
District Magistrate ...	...	7,349	7,085	61	59
Judicial Assistants ...	Europeans ...	1,157	1,106	40	50
	Natives ...	4,280	2,029	51	45
Assistant Commissioners ...	...	13,692	12,712	39	40
Extra Assistant Commissioners	Europeans ...	4,955	4,377	37	38
	Natives ...	40,992	39,347	39	38
Tahsildars ...	...	64,899	64,675	36	33
Naib-Tahsildars ...	...	4,651	2,903	34	42
Munsiffs ...	...	...	27	...	85
Cantonment Magistrates ...	...	8,124	8,219	75	74
Judges of Small Cause Courts ...	...	39	81	54	47
Canal officers and other Special Magistrates ...		1,638	1,355	68	69
Boards of Honorary Magistrates ...	...	19,232	19,154	45	40
Honorary Magistrates sitting singly ...	...	13,353	10,804	44	38
TOTAL ...		184,361	173,874	42	39

Total number of cases for disposal, disposed of, and pending.

42. The numbers of cases for disposal, disposed of, and pending before Magisterial Courts during 1884 were as follows :—

Year.	For disposal.	Disposed of.	Pending.
1883	88,396	87,199	1,197
1884	80,849	79,810	1,039

The number of cases pending at the close of 1882 was 1,431. The number of persons awaiting trial at the end of 1884 was 2,640 as against 2,538 for 1883 and 2,983 for 1882. Six cases had been pending for more than three months at the close of the year, but in three of these the proceedings had been adjourned owing to unsoundness of mind of the accused. The new forms prescribed by the Government of India require that such cases should now be shown as pending, whereas they have hitherto been removed from the ordinary Registers as decided. One case in the Shahpur District was instituted in December 1883, and was still undecided at the end of 1884. The District Magistrate gives as the reason for this that the case could not be disposed of till certain files pending before the Financial Commissioner were received back from his office. The pending file was heaviest in the Jhelum District (91 cases or 3 per cent. of the total for disposal). It was also high in Rawalpindi and Peshawar.

Details of the disposals and of the manner of disposal.

43. The cases decided during 1884 consisted of—

402 Inquiries into Sessions cases;
48,254 Summons cases; and
31,154 Warrant cases.

The details and percentages of cases tried regularly and summarily are given in the annexed statement in the usual form :—

Court.	Tried Regularly.				Tried Summarily.			
	1883.		1884.		1883.		1884.	
	Number.	Percentage.	Number.	Percentage.	Number.	Percentage.	Number.	Percentage.
District Magistrates	3,114	89	3,035	89	372	11	380	11
Boards of ditto	6,410	69	6,896	76	2,891	31	2,167	24
Cantonment ditto	1,618	32	2,469	59	3,451	68	1,711	41
Other ditto	68,059	99	61,611	98	839	1	1,139	2

There has been a decrease in the proportion of summary trials by Boards of Magistrates. The percentage of such trials in the Courts of Cantonment Magistrates was explained last year to be exceptionally high, and it has now fallen even below the level of 1882, when it was 47.

References by subordinate Magistrates.

44. There has been a further falling-off in the number of cases referred by subordinate Magistrates under Section 349, Criminal Procedure Code, the numbers being 1882—425, 1883—320, 1884—249. As will be noticed hereafter, the Court had occasion, in connection with the subject of the adequate punishment of habitual offenders, to draw general attention to the provisions of the Code for the reference of cases in which a subordinate Magistrate finds that he cannot pass a sentence sufficiently severe. But it is possible that the measures taken by District Magistrates to insure that habitual offenders should be adequately dealt with may have had this effect, that cases in which there were previous convictions are tried from the first by the District or first class Magistrates, so that there are fewer cases to refer.

45. The average duration of cases in Magistrates' Courts throughout the whole Province was, as in previous years, 8 days. The periods for the different classes of Courts during the years 1883 and 1884 are as follows:—

Average duration of Magisterial trials.

		Days. 1883	Days. 1884
Special Magistrates		5	3
Honorary Magistrates sitting singly	2nd and 3rd class ...	7	7
	1st class ...	7	8
Benches of Magistrates		5	6
Stipendiary Magistrates other than chief Magistrates of Districts	2nd and 3rd class ...	8	8
	1st class ...	10	8
References under Section 349, Criminal Procedure Code ...		3	4
District Magistrates ...	Under their ordinary powers	7	7
	Under their enhanced powers (Sec. 30, Criminal P. Code)	22	16

The highest District averages were in Amritsar (20 days), Kangra (12 days); and the lowest, in Delhi and Hazara (4 days). The high averages in Amritsar and Gurdaspur for 1883 were commented on in the Report and Review of that year, and have since formed the subject of separate correspondence. It is satisfactory to notice the improvement in Gurdaspur (11 days in 1884 to 18 days in 1883); but the average for the Amritsar Courts has risen from 17 to 20. As a separate report has already been submitted concerning the latter District, it is not necessary again to enter into the details here.

E—Distribution of Criminal business.

46. The following table, abstracted from No. 4 of the printed statements annexed to this Report, gives generally the number of cases disposed of by each of the various grades and classes of Courts:—

Class of Courts.	Number of cases disposed of. 1883.	Number of cases disposed of. 1884.	Percentage. 1883.	Percentage. 1884.
Special Magistrates	695	616	0·8	0·8
Honorary Magistrates sitting singly ...	6,733	4,881	7·6	6·0
Benches of Magistrates	9,301	9,063	10·6	11·3
Subordinate Stipendiary Magistrates ...	66,955	61,810	76·2	76·9
Magistrates of Districts	3,515	3,440	4·0	4·3
Courts of Session	606	617	0·7	0·8
Chief Court	93	64	0·1	...

Further particulars as to the distribution between the different denominations of Magistrates during the last three years will be found below:—

Description of Court or officer exercising powers.	Cases disposed of. 1882.	Cases disposed of. 1883.	Cases disposed of. 1884.	Percentage. 1882.	Percentage. 1883.	Percentage. 1884.	Average number of cases decided by officers of each grade 1882.	Average number of cases decided by officers of each grade 1883.	Average number of cases decided by officers of each grade 1884.
*Special Magistrates	699	695	616	0·8	0·8	0·8	17	18	18
Honorary Magistrates sitting singly	5,810	6,733	4,881	6·9	7·7	6·1	94	104	81
Boards of Honorary Magistrates	7,682	9,301	9,063	9·1	10·7	11·5	384	423	378
Munsiffs...	123	..	27	0·1	...	...	5	...	2
Naib Tahsildars with Judicial powers	2,737	1,909	1,196	3·3	2·2	1·5	109	112	85
Tahsildars	26,217	27,844	27,176	31·2	31·9	34·0	211	223	221
Judges of Small Cause Courts as Magistrates	39	37	130	0·1	0·1	0·2	13	37	65
Cantonment Magistrates ...	4,412	5,076	4,183	5·3	5·8	5·2	551	564	465
Extra Assistant Commissioners,	22,103	22,521	21,724	26·3	25·8	27·2	218	223	259
Assistant Commissioners ...	7,017	6,761	5,812	8·4	7·8	7·3	206	199	232
Judicial Assistants* and Extra Judicial Assistants	3,446	2,807	1,562	4·1	3·2	1·9	157	128	71
District Magistrates	3,741	3,515	3,440	4·4	4·0	4·3	117	110	108

* Includes District Judges during the last 2 months

The work of the Courts of Session and of the Chief Court will be noticed in separate sections.

Honorary Magistrates sitting singly.

47. The total number of criminal cases disposed of by the Honorary Courts, and the percentages on the whole work performed by Magisterial Courts during each of the last three years is as follows:—

Year.	No. of cases decided.	Percentage on number disposed of by all Magisterial Courts.
1882	13,492	16
1883	16,034	18
1884	13,944	17

The returns of 1884 thus show a decrease from the figures of the previous year; but these unpaid tribunals continue to render very material assistance to the stipendiary Magistracy.

The following list shows the Honorary Magistrates, who, sitting singly, disposed of the most work:—

District.	Name of Magistrate	Powers	Number of cases disposed of.
Ludhiana	Shahzáda Nádir	2nd Class	532
Simla	Mr. Goad	1st " ..	438
Kohat	Nawab Sir Khwaja Muhammad Khan, K.C.S.I	2nd "	292
Ferozepur	Sodhi Man Singh, Honorary Assistant Commissioner	1st " ..	236
Ludhiana	Ahsán Shah	3rd " ..	199
Amritsar	Sardar Ajit Singh, C.I.E., Honorary Extra Assistant Commissioner	1st " .	198
Gurgaon	Muhammad Siraj-ud-din Haidar	2nd " ...	180
Hoshiarpur	Bedi Sujan Singh	2nd " ..	163
Kangra	Raja Amar Chand	1st " ..	153
Do .	Jai Chand	3rd " ...	147
Sialkot .	Sardar Dyál Singh	2nd " ..	128
Kohat ..	Muhammad Zaffar Khan	2nd " ...	126
Jhang	Mr. Broadway	3rd " ...	125
Jullundur	Sardar Ajit Singh	2nd " ...	108

The principal changes which occurred in the staff of Honorary Magistrates were as follows:—Khan Bahadur Hadi Husein Khan, Honorary Assistant Commissioner of Delhi, relinquished his duties on taking service in a native state. At the request of the Simla Municipal Committee, Mr. Goad (Secretary to the Committee) was relieved of all Magisterial duties, and only tried cases during the first half of the year. In Rawalpindi Sirdar Ghulam Muhammad Khan of Makhad has become incapacitated by age and infirmity for the exercise of judicial functions. On the other hand, the appointment in November of Háji Ghulám Husein to be an Honorary Extra Assistant Commissioner will strengthen the head-quarters staff of the Amritsar District; and Sirdar Richpál Singh was invested with powers within the limits of the Pasrur *pargana* of the Sialkot District.

The services of Shahzáda Nádir and of Ahsan Shah, who sit at Ludhiana, have been acknowledged in the Reports of past years; and these gentlemen continue to render very material assistance to the District staff. In Amritsar Sirdar Ajit Singh disposed of 198 cases last year, against 1,156 in 1883; but the latter number included 853 proceedings to obtain security for good behaviour.

Boards of Honorary Magistrates.

48. The following table gives the amount of work disposed of by the various Benches of Honorary Magistrates during 1883 and 1884.

District.	Board.	Powers.	Number of cases disposed of.		
			1883.	1884.	Difference.
Delhi ...	Delhi ...	2nd Class ...	1,664	1,690	+26
	Sonepat ...	3rd " ...	43	59	+16
Gurgaon ...	Rewari ...	3rd " ...	151	100	—51
Rohtak ...	Rohtak ...	3rd " ...	69	31	—38
	Jhajjar ...	3rd " ...	43	66	+23
	Bahadurgarh ...	3rd " ...	122	41	—81
	Beri ...	3rd " ...	14	...	—14
Jullundur ...	Jullundur ...	2nd " ...	383	493	+110
Amritsar ...	Amritsar ...	2nd " ...	1,758	1,658	—100
Gurdáspur ...	Batála ...	2nd " ...	282	238	—44
Siálkot ...	Baddoke ...	3rd " ...	205	270	+65
	Raya ...	3rd " ...	52	415	+363
Lahore ...	Lahore ...	2nd " ...	1,195	923	—272
Gujránwála ...	Gujránwála ...	2nd " ...	417	341	—76
	Wazirabad ...	2nd " ...	120	140	+20
	Mánáwála ...	1st " ...	21	26	+5
Ferozepore ...	Ferozepore ...	3rd " ...	219	252	+33
Rawalpindi ...	Rawalpindi ...	3rd " ...	930	815	—115
Mooltan ...	Mooltan ...	3rd " ...	826	437	—389
Muzaffargarh ...	Muzaffargarh ...	3rd " ...	...	230	+230
Dera Ismail Khan ...	Dera Ismail Khan ...	2nd " ...	92	72	—20
Dera Ghází Khan ...	Dera Ghází Khan ...	3rd " ...	164	128	—36
Pesháwar ...	Pesháwar ...	3rd " ...	382	527	+145
Kohat ...	Bazar ...	2nd " ...	149	111	—38

The Delhi, Amritsar, Lahore, and Rawalpindi City Boards alone disposed of more than half of the total number of cases tried by the Benches of the Province. The Raya (Sialkot) Board commenced work in October 1883, and this will account for the apparent large increase in its decisions. The Mánawála (Gujranwála) Board has been broken up by the resignation of one of its two members. The other member, Sirdar Fateh Singh, is too infirm to do much work. New Boards were established at Tánda, Mukerian and Anandpur in the Hoshiarpur District, but did no work in 1884. A Board of four members was appointed at Muzaffargarh towards the close of 1883; and, as will be seen, did a good deal of work in the year under report. It would be well if District Magistrates noticed in somewhat greater detail the work done by the Honorary Criminal Courts in their Districts.

Work done by Tahsildars and Naib Tahsildars.

49. The number of cases disposed of by Tahsildars in 1884 was slightly less than in 1883: but the percentage on the whole number of cases decided by Magistrates rose from 31 in the two previous years to 34 in 1884. The average number of criminal cases disposed of by each Tahsildar was highest in the six following Districts. The average number of civil cases decided is also added.

	Criminal.			
	Summons	*Warrant*	*Civil*	*Total.*
Hoshiarpur	390	98	247	735
Gujrat	380	77	256	713
Hazara	265	102	289	656
Jhelum	263	95	256	614
Shahpur	243	108	221	572
Amritsar ...	276	68	264	608

During the last two months of the year the new Punjab Courts Act was in force, and a considerable number of cases must have been decided by Tahsildars under Chapter V; but the details of these are not known. The Tahsildars of Hoshiarpur and Dasuyah each decided nearly 800 civil and criminal cases; but

Settlement operations were going on in that District, and this may have given the Tahsildars time to do more judicial work than could otherwise be expected of them. The Deputy Commissioner of Gujrat does not think that any of his Tahsildars were overburdened with criminal work, as "the bulk of their work consisted of petty summons cases, and more than half of the persons who appeared before them were discharged in consequence of the non-appearance of the complainant or the withdrawal of the complaints." The Tahsildar of Abbottabad (Hazara) disposed of 432 criminal cases; and the District Magistrate's remarks on this are that "a great number of the cases disposed of are of the most trivial description. Out of 1185 persons placed on their trial before him, 598 were discharged in default of the complainant's appearance, or as the result of a compromise." The District Magistrate Shahpur says "the Tahsildar of Bhèra disposed of 527 cases; but the head-quarters staff were unable to dispose of more judicial work than they took up; and the greater part of Tahsil Bhera is a long way from the Sadar." The reports of the other Districts mentioned contained no reference to the subject.

It has been agreed that Tahsildars should ordinarily under the new Judicial Scheme, take up an average of 600 cases per annum, including cases of the classes described in Chapter V of the Act. The Tables drawn up by Mr. G. W. Rivaz when on special duty in connection with the Scheme, showed the average amount of judicial work which it was estimated would fall on each Judicial Officer; and these have now been circulated for general information. As far as possible Tahsildars will now be given criminal and revenue, rather than civil cases. In Dera Ismail Khan (58), Peshawar (62) and Kohat (36), the Tahsildars decided on the average less than 100 criminal cases each.

The number of cases disposed of by Naib Tahsildars is less than for 1883.

Cantonment and Subordinate Criminal Courts at head quarters.

50. The decrease in the work done by the Cantonment Magistrates is accounted for by the decrease in the number of cases under the Cantonment Act, to which reference has already been made in paragraph 23. Extra Assistant and Assistant Commissioners decided fewer cases than in 1883; but there were apparently fewer Officers of these classes employed on criminal work. The same proportion of the whole criminal work fell to their share as to the Tahsildars (34 per cent), so far as numbers go; but there is of course a great difference in the nature of the cases tried by the two classes of officers.

District Magistrates.

51. In the statement below the criminal work disposed of during 1883 and 1884 by the Magistrate of each District under his various powers is shown.

District Magistrate.	Under his enhanced powers.		Under his ordinary powers.		With the assistance of a Council of Elders.		Under his appellate powers.	
	1883.	1884.	1883.	1884.	1883.	1884.	1883.	1884
Delhi	19	14	15	14	...	...	174	133
Gurgaon	11	12	27	45	...	...	79	127
Karnal	8	6	47	36	...	...	137	117
Hissar	16	10	65	40	...	...	45	45
Rohtak	23	24	33	72	...	...	89	71
Sirsa	15	6	289	130	...	...	47	39
Umballa	15	24	27	22	...	...	166	164
Ludhiana	22	28	75	61	...	...	128	81
Simla	...	4	9	45	...	...	5	...
Jullundur	7	21	43	34	...	...	168	119
Hoshiarpur	19	9	73	61	...	...	123	182
Kangra	12	12	18	16	...	...	76	61
Amritsar	17	32	85	70	...	...	165	223
Gurdaspur	14	8	15	40	...	...	110	79
Sialkot	23	21	64	104	...	...	217	359

District.	Under his enhanced powers.		Under his ordinary powers.		With the assistance of a Council of Elders.		Under his appellate powers.	
	1883	1884	1883	1884	1883	1884	1883	1884
Lahore ...	51	47	66	76	...	...	99	166
Gujranwala ...	33	42	149	211	...	...	89	101
Ferozepore ...	22	39	94	23	...	...	151	146
Rawalpindi ...	38	22	48	71	...	...	203	234
Jhelum ...	28	30	68	92	...	...	137	82
Gujrat ...	22	20	42	16	...	...	70	137
Shahpur ...	14	11	38	79	...	...	116	121
Mooltan ...	60	46	84	96	...	...	206	139
Jhang ...	12	17	70	73	...	...	106	133
Montgomery ...	8	11	102	22	...	...	60	75
Muzaffargarh ...	17	18	82	43	...	...	118	108
Dera Ismail Khan ...	28	27	68	90	29	36	68	57
Dera Ghazi Khan ...	22	17	183	66	39	70	38	85
Bannu ...	20	13	45	53	210	239	36	102
Peshawar ...	10	8	19	19	171	155	43	63
Hazara ...	8	20	34	76	26	89	53	72
Kohat ...	12	10	60	103	277	223	37	69
Total ...	626	629	2,137	1,999	752	812	3,377	3,693

The total number of cases tried under the enhanced powers is almost the same in both years; but there has been a further slight decrease in the number tried under the ordinary powers, and an increase in the number referred to *jirgas*. The appellate work will be considered hereafter.

There is some diversity of practice in the matter of the amount of original criminal work which a District Magistrate considers it necessary to take up. Thus the District Magistrate of Delhi tried only 28 cases, of which half were dealt with under his enhanced powers; while the District Magistrate of Gujranwala tried 253, of which 42 were under enhanced powers. There is no apparent reason why the criminal work taken up by District Magistrates should differ so much. In the instructions concerning the punishment of habitual offenders, to which allusion has already been made, the Judges decided not to lay down a hard-and-fast rule requiring that all cases in which the accused had been previously convicted should be tried by the Magistrate of the District; and it was pointed out that District Magistrates must be held responsible for the proper treatment by Subordinate Courts of cases in which the accused are habitual offenders or have been previously convicted. The Monthly Returns afford the Court opportunities of testing whether cases which could only be adequately dealt with by the District Magistrate under his enhanced powers are tried by Magistrates with inferior powers; and attention is directed to any shortcomings in this respect. Sessions Judges also exercise an efficient control in this matter over the criminal work of the Districts in their charge, reporting such cases as it appears necessary to bring to the Court's notice; but the occasions on which interference of this sort is called for are rare; and, as a rule, District Magistrate bear their full share of the burden of District criminal work.

In addition to Delhi, which has already been referred to, the following Districts may be mentioned as showing a small out-turn of original criminal work done by the District Magistrate; Kangra (28 cases), Montgomery (33 cases, against 110 in 1883), Peshawar (27 cases). On the Peshawar Returns it was recently noticed by the Court that several cases which might have been disposed of by the District Magistrate under his enhanced powers, had been committed to the Sessions. The District Magistrate explains that his political duties have prevented him from disposing of them himself.

Number of cases tried by European and by Native Magistrates.

52. The following is a statement, similar to that given in last year's Report, showing the distribution of the work disposed of by Magistrates under their ordinary powers between Magistrates of the 1st and inferior classes, and also according to the nationality of the Magistrates :—

		Number of cases.		Percentage.	
		1883.	1884.	1883.	1884.
Magistrates of the 1st Class ...	European ...	13,067	12,473	15	16
	Native ...	21,775	19,544	26	24
Magistrates of 2nd and 3rd Class	European ...	3,736	2,663	4	3
	Native ...	47,243	45,130	55	57

F.—Special Jurisdiction of Magistrates.

Jurisdiction of District Magistrates under Section 30, Criminal Procedure Code.

53. Of 629 cases disposed of by District Magistrates in exercise of their enhanced powers, 260 or 41 per cent. were cases triable exclusively by the Court of Session ; and 365 or 59 per cent. were other cases in which the District Magistrate had to pass a sentence beyond the powers of a Magistrate of the first class. Of 1,146 persons tried by Magistrates under their enhanced powers 231 or 20 per cent. were acquitted or discharged; 636 or 55 per cent. convicted and sentenced to punishments which did not require the confirmation of the Court of Session, while of 279 or 25 per cent. the sentences were referred for such confirmation. Of the sentences referred 245 or 87 per cent. were confirmed, 25 were modified, 4 were annulled, and 14 were pending decision at the close of the year

The average duration of cases tried by District Magistrates under their enhanced powers was 16 days as against 22 in 1883 and 17 in 1882. It varied from 3 days in Hazara to 32 in Bannu, and was highest in Bannu (32), Kangra (31), Jhelum (27).

Jurisdiction over European British Subjects.

54. In the year under report only 93 European British subjects were brought to trial before Magistrates as against 152 in 1883, about one-third of the number being charged under Section 352, Indian Penal Code. Of the persons brought to trial 42 were convicted, 48 acquitted or discharged, and 3 were committed to the Chief Court or Court of Session.

Jurisdiction under the Frontier Regulations.

55. The following table shows the number of cases disposed of under the various Frontier Regulations in the Districts to which they apply during 1883 and 1884 :—

District.	Regulation I of 1872, Section 3.		Regulation I of 1872, Section 4.		Regulation I of 1872, Section 8.		Regulation IV of 1873, Section 2.		Regulation VII of 1873, Section 6.		Regulation IX of 1874.	
	Proceedings against villages for suppression of evidence or harbouring criminals.		Cases in which persons were deported on account of quarrels likely to lead to bloodshed.		Adultery.		References to Councils of Elders.		Crossing the Frontier.		Grazing.	
	1883	1884	1883	1884	1883	1884	1883	1884	1883	1884	1883	1884
Dera Ismail Khan	...	..	1	...	7	3	29	34	...	2	...	...
Dera Ghazi Khan	1	...	..	2	1	2	36	66	1	...	...	...
Bannu	4	4	...	...	3	2	203	234	...	...	...	...
Peshawar	2	5	6	...	...	...	163	150	...	...	...	...
Hazara	...	1	...	...	...	2	26	89	...	2	...	...
Kohat	...	5	4	...	3	1	270	217	...	...	...	...
Total ...	7	15	11	2	14	10	727	790	1	4		...

References to Jirgas or Councils of Elders.

56. It will be seen that almost all the cases (96 per cent.) entered in the above statement were under Regulation IV of 1873, Section 2, where the accused was charged with an offence under the Indian Penal Code, but there was not sufficient evidence to support the charge before the ordinary tribunals, and the question of his guilt was referred to a Council of Elders. This power of reference was most freely used in Bannu and Kohat. The following statement gives the result of such references in the past and preceding years :—

District.	Number of persons tried.		Number of persons convicted.		Percentage of convictions.	
	1883	1884	1883	1884	1883	1884
Dera Ismail Khan	61	69	61	56	100	81
Dera Ghazi Khan	73	102	65	83	89	81
Bannu	592	627	249	218	42	35
Peshawar	475	358	358	204	75	57
Hazara	49	175	29	112	59	64
Kohat	725	559	202	216	28	39

In the Report of last year it was noted that in Dera Ismail Khan every person brought before a Council of Elders was convicted, a result which the District Magistrate has since accounted for by saying that "before permitting a case to be so tried he carefully weighed the evidence; and, unless convinced that there was sufficient to secure a conviction before an unbiassed tribunal he did not refer a case to a *Jirga*." It may be remarked in this connection that in Bannu and Kohat, where the references were most frequent, the percentage of convictions was far lower than in the other Districts. The Regulation leaves it entirely to the discretion of the Magistrate whether he should make a reference or not in any particular case; and the greater number of references, together with the low percentages of convictions, which mark the Bannu and Kohat returns, would seem to indicate that in these Districts cases are made over to a Council of Elders without so much regard to the chances of a conviction as in the other Frontier Districts. The District Magistrate Dera Ghazi Khan expresses an opinion that references to jirgas " prevent crime by discouraging private revenge."

The remarks of the District Magistrate, Hazara, which will be found amongst the extracts, are deserving of attention. The power of reference has been freely used with satisfactory results in cases of rick-burning and cattle-poisoning, offences of which it is always difficult to obtain direct proof.

Fines imposed under Frontier Regulations.

57. The total amount of fines imposed under all the Frontier Regulations was Rs. 54,593 last year, as against Rs. 52,879 in 1883. The following are the details for the Districts of the fines imposed and realized, and of the compensation awarded :—

District.	Fines imposed.		Average per person convicted.		Percentage realized.		Amount awarded as compensation.	
	1883	1884	1883	1884	1883	1884	1883	1884
Dera Ismail Khan	2,860	3,128	48	56	86	82	4,919	2,972
Dera Ghazi Khan	6,860	7,049	104	85	56	53	7,264	5,523
Bannu	12,256	13,006	49	60	49	66	6,108	8,613
Peshawar	18,672	12,491	52	58	85	64	10,098	8,010
Hazara	1,145	3,280	39	27	24	51	490	1,660
Kohat	11,086	15,639	55	72	55	90	7,241	14,147
Total ...	52,879	54,593	58	60	·65	48	36,120	40,925

It will be seen that there has been a considerable improvement in the proportion of realizations, especially in the Hazara and Kohat Districts. The average incidence of the fines in Dera Ghazi Khan, which was remarked on in last year's report as high, has fallen from Rs. 145 in 1882 to Rs. 104 in 1883, and now to Rs. 85 in 1884. In addition to the amounts realized on account of the fines of the year under report, Rs. 15,980 were realized on account of fines imposed in past years. This is not included in the percentages of realization in the above statement; and the increase on the figures of 1883 (Rs. 5,265) is probably due to the smaller proportion of the fines of that year that were realized within it. Of the amount awarded as compensation in 1884 and the previous years, Rs. 19,930 were actually paid within the year to the parties entitled to it.

G.—Original Jurisdiction of the Court of Session.

Total amount of work disposed of by Courts of Session.

58. The amount of work disposed of by Courts of Session in 1884 and the preceding year will be seen from the following abstract:—

	Cases.		Persons.	
	1883	1884	1883	1884
Sessions trials	333	350	652	765
Cases referred by District Magistrates under Section 34, Criminal Procedure Code	233	225	295	290
Other references	40	42	46	47
Total ...	606	617	993	1,102

It may be here mentioned that the introduction of the Reorganization Scheme of the judicial agency of the Province necessitated the reconstitution of the Sessions Divisions from November 1st, 1884. The number (ten) has remained the same as before; but the Districts have been redistributed. Instead of ten Commissioners, who were also Sessions Judges, and two Additional Commissioners, who were also Joint Sessions Judges, there are now ten Sessions Judges and three Joint Sessions Judges (the latter in three Civil Divisions which could not conveniently be broken up) who are also Divisional Civil Judges.

Sessions trials; work disposed of.

59. The annexed statement shows the number of cases and persons coming before the Sessions Courts of the Province on commitment, and the general results of the trials during 1884 and the preceding years:—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	For disposal.				Disposed of.						Pending at the end of the year.					
	Persons.		Total		Persons.				Total.							
Year.	Remaining from previous year.	Committed to the Sessions during the year.	Cases.	Persons.	Died, escaped or transferred.	Acquitted.	Convicted.	Convicted and referred to the Chief Court under Section 374, Criminal Procedure Code.	Cases.	Persons.	Cases.	Persons.	Percentage of persons convicted.	Cases pending over 3 months.	Average duration.	Date of oldest case pending.
1884 ...	130	707	391	837	5	307	374	79	350	765	41	72	59	6	60	12th Novr. 1883.
1883 ...	98	684	401	782	2	268	270	106	333	652	68	130	59	5	49	14th Septr. 1883.
1882 ...	146	751	450	897	3	342	346	108	401	799	49	98	57	1	56	27th Septr. 1882.
1881 ...	104	804	482	998	7	296	411	136	423	850	59	148	64	12	58	14th June 1881.

Owing to the alterations in the limits of the Sessions Divisions it is not possible to show the comparative results for each Sessions Division for the whole of last and for previous years. For the Rawalpindi and Peshawar Divisions, which have always the heaviest files of sessions trials, and contain the same Districts as before, the following are the details:—

Division.	For disposal.			Disposed of		Pending at the close of the year.	
	Year.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons
Rawalpindi	1883	69	129	67	126	2	3
	1884	68	153	60	142	8	11
Peshawar	1883	138	300	109	250	29	50
	1884	125	253	107	218	18	35

The results of the trials for the whole Province are shown in the annexed statement:—

	Number.		Percentage.	
	1883.	1884.	1883.	1884.
Number of persons—				
Convicted and sentenced to death ...	106	79	16	10
Convicted and sentenced otherwise ...	276	374	43	49
Acquitted	268	307	41	40
Died, &c.	2	5	..	1

The percentage of convictions remains as in 1883, 59; but the proportion of capital sentences is considerably lower than in that year. The proportion of convictions was 53 per cent. in Peshawar against 46 in 1883; and in Rawalpindi it was 66.

Average duration and pending files.

60. The number of cases pending and of persons awaiting trial was less than at the close of any of the three preceding years. There were six cases which had been pending for more than three months. In the oldest of these (committed 12th November 1883) the trial had been postponed under Section 465, Criminal Procedure Code, and two more had been set down for trial by the late Colonel Hastings, Sessions Judge Peshawar, and fresh dates had to be fixed by his successor.

The average duration of trials in Courts of Session was somewhat higher (60 days) than in 1883 (49); and was much the same during the first ten as during the last two months.

References.

61. In addition to cases committed for trial, Sessions Judges disposed of, under Section 380 Criminal Procedure Code, 225 cases referred to them by District Magistrates under Section 34. The result of these references has already been noticed in paragraph 53. There were also 42 other references disposed of: 37 under Section 123 of the Criminal Procedure Code, 1 under Section 42 of the Punjab Laws Act, and 4 under Section 3 of Frontier Regulation No. I of 1872. In all 267 references were disposed of within the year, those under Section 34 of the Criminal Procedure Code in an average of 9, and the other references in an average of 8 days. All of the orders referred under Section 123 of the Code and the Punjab Laws Act were confirmed, but three of the fines proposed under Frontier Regulation No. I of 1872 were not sanctioned by the Sessions Judge.

Use of Assessors.

62. Of the 350 Sessions trials 333 were held with the assistance of Assessors. In 299 of the cases the Sessions Judge agreed with all the Assessors, and in 10 more with the majority of them; while in 7 cases he differed from two and in 17, from all three.

Trials of European British subjects.

63. Two trials of European British subjects were held during the year, one by the Sessions Judge of Lahore, and the other by the Sessions Judge of Peshawar. Both trials resulted in the accused being convicted. The accused (2) in the former case were sentenced under Section 380, Indian Penal Code, and in the latter under Section $\frac{411}{379}$ Indian Penal Code.

H.—Witnesses.

Number of witnesses examined.

64. The total number of witnesses examined by all Courts was slightly less than in 1883; thus:—

	1883.	1884.
District Courts	2,29,543	2,26,881
Sessions Courts	4,555	4,624
Chief Court	28	49

Attendance and detention of witnesses in District Courts.

65. The details of the periods during which witnesses were detained in District Courts differed for the whole Province but little from those of the previous year.

	Percentage. 1883.	1884.
Discharged on the first day	89·4	89·8
" " second "	8·2	8·1
" " third "	1·8	1·6
Detained more than three days ...	0·6	0·5

The Districts which show the largest number of detentions for more than three days are:—

Mooltan	90
Kohat	88
Jhang	85
Montgomery	84

The total number of witnesses detained for more than three days was 1,098 (as against 1,421 in 1883); and of these 813 were discharged on the fourth day, and the rest from the fifth to the eighth day. These figures indicate a considerable improvement on the details given in paragraph 76 of the last year's Report.

Expenses of dieting witnesses in District Courts.

66. The annexed statement gives full particulars as to dieting of witnesses in District Courts, the totals for 1883 being added for purposes of comparison:—

District.		Number of witnesses who attended the Courts.	Total number of witnesses examined.	Actual number of witnesses dieted.	Number of witnesses dieted. By Police.	Number of witnesses dieted. By Magistrate.	Amount of diet money paid. By Police.	Amount of diet money paid. By Magistrate.	Average cost of each witness dieted. By Police. Rs.	A.	P.	By Magistrate. Rs.	A.	P.	Percentage of witnesses dieted to those examined.
Delhi	...	8,660	8,214	1,376	649	968	123	259	0	3	11	0	5	11	16
Gurgaon	...	6,875	6,195	1,620	1,024	1,069	405	638	0	6	6	0	9	6	26
Karnal	...	6,626	6,463	1,728	1,423	1,026	309	372	0	3	9	0	5	9	27
Hissar	...	4,949	4,873	1,373	744	629	139	224	0	3	0	0	5	8	28
Rohtak	...	5,895	5,314	1,974	1,336	1,144	245	582	0	2	11	0	8	2	37
Sirsa	...	3,504	3,467	1,717	1,293	553	334	279	0	4	2	0	8	1	49
Umballa	...	8,895	8,754	3,876	3,602	1,800	964	847	0	4	3	0	7	6	44
Ludhiana	...	5,859	4,974	3,781	479	3,763	117	1,190	0	3	11	0	5	3	76
Simla	...	2,318	2,318	192	...	192	...	167	...	...	...	0	14	1	8
Jullundur	...	8,130	8,120	2,798	725	2,734	128	1,010	0	2	10	0	5	11	35
Hoshiarpur	...	6,737	6,572	1,780	1,168	900	277	471	0	3	10	0	8	4	27
Kangra	..	5,225	5,126	2,813	648	2,210	146	846	0	3	7	0	6	2	54
Amritsar	..	12,774	10,946	3,907	2,923	984	381	436	0	2	1	0	7	1	36
Gurdaspur	...	5,883	5,883	2,818	1,065	2,436	314	948	0	4	8	0	6	2	48
Sialkot	...	11,948	11,712	1,973	1,807	923	369	461	0	3	3	0	8	0	17
Lahore	...	12,851	12,851	3,189	2,223	3,400	450	929	0	3	3	0	4	7	25
Gujranwalla	...	7,237	7,174	2,065	1,804	345	421	178	0	3	9	0	8	2	28
Ferozepore	...	7,674	7,649	3,170	1,990	1,180	560	470	0	4	6	0	6	4	41
Rawalpindi	...	12,463	10,776	2,598	1,385	1,314	443	1,550	0	5	1	1	2	1	24
Jhelum	..	9,672	8,909	1,616	640	1,076	218	1,134	0	5	6	1	0	10	18
Gujrat	...	8,144	7,781	2,211	2,180	56	482	120	0	3	6	2	2	3	28
Shahpur	...	8,703	8,703	1,365	1,080	285	303	217	0	4	6	0	12	2	15
Mooltan	...	11,992	11,188	2,347	962	1,937	357	1,530	0	5	11	0	12	8	21
Jhang	...	4,343	4,343	1,225	1,081	499	297	226	0	4	5	0	7	3	28
Montgomery	...	5,642	5,642	1,833	1,828	204	365	191	0	3	3	0	15	0	33
Muzaffargarh	...	6,899	6,769	2,351	2,030	550	481	395	0	3	9	0	11	6	35
Dera Ismail Khan	...	3,796	3,490	1,067	86	1,067	15	1,022	0	2	9	0	15	4	31
Dera Ghazi Khan	...	4,174	4,174	1,580	50	1,530	71	1,290	0	2	3	0	13	6	38
Bannu	...	5,696	5,430	1,265	219	1,078	83	538	0	6	1	0	8	0	23
Peshawar	...	11,449	11,388	650	...	650	...	543	...	...	...	0	13	5	6
Hazara	...	4,576	4,556	2,306	606	1,930	91	485	0	2	4	0	4	0	51
Kohat	...	7,303	7,127	1,657	119	1,538	22	1,002	0	2	11	0	10	8	21
Total	1884	236,872	226,881	66,221	37,169	39,970	8,910	20,650	0	3	10	0	8	3	29
	1883	*286,537*	*229,543*	*65,198*	*35,977*	*40,143*	*9,018*	*23,362*	*0*	*4*	*0*	*0*	*9*	*3*	*28*

From the above it will be seen that there has been a slight increase in the number of witnesses dieted, a decrease in the amount of money paid, and a consequent fall in the average paid to each witness both by the Police and by Magistrates. The percentage of witnesses dieted to those examined was under 20 in the following Districts:—

Peshawar	...	6
Simla	...	8
Shahpur	...	15
Delhi	...	16
Sialkot	...	17
Jhelum	...	18

and it was 21 in Mooltan and Kohat. The Peshawar District and the Rawalpindi Division again show the most unfavorable results; while the low proportions in Simla and Delhi may be accepted as normal, the explanation in the case of the latter being, as before, that the small percentage is due to the preponderance of petty cases decided by Honorary Magistrates and Tahsildars, in which diet money is not allowed. This same cause is assigned for the comparatively small number of witnesses dieted in Sialkot. The improvement in the Peshawar District is very slight, the percentage being 6 against 4 in 1883. The Sessions Judge writes as follows on the subject:—

"Very little diet money is paid to witnesses either by the Magistrates or by the Police. In fact the system of paying diet money can scarcely be said to have been introduced in this part of India, and this apparently trifling matter has no doubt its effect in tending to render criminal administration unsuccessful."

It is evident that the matter calls for further attention from the District Magistrate of Peshawar; and he has been addressed on the subject. As in previous years, no witnesses were dieted by the Police of this District. Of the low percentages in Shahpur and Jhelum the District Magistrates are unable to give any satisfactory explanation.

The variations in the average amount paid to each witness do not call for detailed notice. The average was highest in Gujrat, where the number of witnesses to whom Magistrates allowed diet money was least. The District Magistrate writes that he is making inquiries into the practice of the Subordinate Magistrates in this matter.

Service of criminal processes.

67. The number of criminal processes served through the process serving establishment was 105,223 in 1884, against 103,406 in 1883.

PART II.—PUNISHMENTS.

68. The following table gives the necessary details regarding the sentences passed by all Courts during 1884 and the preceding year.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
			Persons sentenced to												Persons ordered to find or give			Persons imprisoned in default of furnishing security for good behaviour.	
				Transportation.			Imprisonment.				Whipping.		Fine.						
							Rigorous.												
Class of Tribunal.	Year.	Total number of persons punished.	Death.	For life.	For a term.	Penal Servitude.	With solitary confinement.	Without solitary confinement.	Simple.	Forfeiture of property.	In addition to other punishment.	In lieu of other punishment.	With imprisonment.	Without imprisonment.	Security to keep the peace.	Recognizance to keep the peace.	Sureties for good behaviour.	Vigorous.	Simple.
Magistrates Courts ...	1883	74,976	...	...	...	...	8,785	5,137	758	...	273	1,367	10,171	40,350	2,750	1,811	5,018	...	...
	1884	67,291	...	...	...	...	8,354	4,869	776	2	265	1,290	9,398	44,549	2,836	1,490	3,234	495	35
Sessions Courts ...	1883	601	...	100	27	...	389	18	1	...	8	2	147	25	...	...	39	...	...
	1884	705	...	130	73	2	392	44	1	1	13	2	163	10	...	...	42	42	...
Chief Court. ...	1883	103	64	33	...	...	2	4	...	...	...	...	...	...	...	...	...	...	...
	1884	66	51	13	...	...	2	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	1883	75,680	64	133	27	...	9,176	5,159	759	...	281	1,369	10,318	40,375	2,750	1,811	5,057	...	...
	1884	68,062	51	143	73	2	8,748	4,913	777	3	278	1,292	9,561	44,568	2,836	1,490	3,276	495	35

69. The number of persons sentenced to death was 51 as against 64 in previous year. Sentences of transportation for life increased by 10, and for a term by 46.

Death and transportation.

70. The particulars of the sentences of imprisonment have varied but little during the last four years. The following are the details, according to the length of the term awarded, for 1883 and 1884 :—

Imprisonment.

	Number		Percentage	
	1883	1884	1883	1884
Not exceeding 15 days ...	1,531	1,574 ...	10	11
" " 6 months ...	8,595	8,431 ...	57	56
" " 2 years ...	4,339	4,271 ...	29	28
" " 7 " ...	616	713 ...	4	5
above 7 " ...	13	19 ...	...	...
Total ...	15,094	15,008		

In 95 per cent. of the sentences the imprisonment was rigorous, and in 64 per cent. of these solitary confinement was included, the proportions for 1883 being exactly the same.

71. In two cases forfeiture of property was ordered by District Magistrates (Amritsar and Peshawar); and in one, by a Court of Session.

Forfeiture of property.

72. The number of persons sentenced to whipping is slightly smaller than in the preceding year, under the heads both of persons so sentenced in addition to, and those so sentenced in lieu of other punishment. The number of persons sentenced to stripes as juvenile offenders was 234 in 1884 as against 265 in 1883. It will be seen that out of 13,089 persons liable to this punishment 1,570 or 12 per cent. received it, the proportion for 1883 being the same.

Whipping

The following are details as to the number of stripes awarded :—

	1883	1884
Not exceeding 5 stripes ...	53	65
" 10 " ...	323	329
" 15 " ...	441	432
" 20 " ...	328	302
" 25 " ...	180	143
" 30 " ...	325	284

73. The following is a comparative statement of the sentences of fine passed in 1883 and 1884, arranged according to the amount of fine imposed :—

Fines.

	Number.		Percentage.	
	1883	1884	1883	1884
Not exceeding Rs. 10	48,302	43,979 ...	81	81
" " 50	10,070	8,986 ..	17	16
" " 100	916	828 ..	1	2
Exceeding " 100 ...	405	336 ...	1	1

The total amounts imposed, realized and awarded in compensation, together with the percentages are as follows :—

	Fines.				Compensation.		
Year.	Imposed. Rs.	Realized. Rs.	Percentage.		Awarded. Rs.	Paid. Rs.	Percentage.
1883 ...	5,73,218	4,55,449	79	...	1,20,265	64,058	53
1884 ...	5,01,762	3,91,966	78	...	1,06,713	53,645	50

In this statement are included the realizations on account of previous years.

The decrease in the total number of persons punished has naturally resulted in a decrease in the number sentenced to fine, and in the gross amount of the

fines imposed. The proportion of realizations is 1 per cent. worse than it was in 1883; and 1 per cent. better than in 1882.

The annexed statement shows the number of persons fined, the amounts of fines imposed, with the averages for every District in the Province, the figures for the Courts of Session being added in a lump at the end.

1	2	3	4	5	6	7	8	9	10	11
District.	Total number of persons fined.		Total amount of fines imposed.		Average amount of fine per head.		Percentage of fines realized.		Percentage of fine imposed, ordered to be paid in compensation.	
	1883	1884	1883	1884	1883	1884	1883	1884	1883	1884
			Rs.	Rs.	Rs.	Rs.				
Delhi	1,936	1,773	11,542	9,085	6	5	72	71	17	13
Gurgaon	1,263	1,097	7,847	7,741	6	7	59	63	22	8
Karnal	1,587	1,092	12,453	7,663	8	7	64	47	7	27
Hissar	1,440	1,292	8,447	9,039	6	7	61	58	19	13
Rohtak	1,385	794	11,861	7,072	9	9	67	74	7	5
Sirsa	739	708	7,889	5,280	11	7	64	58	9	24
Amballa	2,462	2,729	18,051	21,469	7	8	60	60	12	23
Ludhiana	1,742	1,427	14,048	12,738	8	9	60	67	14	23
Simla	2,171	1,917	8,359	5,213	4	3	59	79	27	14
Jullundur	2,001	1,971	15,789	9,042	8	5	57	78	11	10
Hoshiarpur	1,485	1,093	9,268	10,125	6	9	63	58	8	7
Kangra	3,044	2,961	14,127	12,451	5	4	93	84	26	10
Amritsar	2,735	1,987	23,538	19,043	9	10	62	59	14	21
Gurdaspur	1,236	1,079	15,083	9,938	12	9	60	59	16	22
Sialkot	2,238	1,994	15,159	14,083	7	7	72	77	6	5
Lahore	3,637	2,938	34,407	29,063	9	10	67	59	10	11
Gujranwala	1,314	1,415	13,267	10,689	10	8	43	63	9	13
Ferozepore	2,802	2,101	21,860	15,802	8	8	63	62	14	18
Rawalpindi	5,201	4,679	35,948	35,117	7	8	66	60	19	19
Jhelum	2,825	1,988	30,498	24,588	11	12	65	60	5	6
Gujrat	1,007	1,383	10,927	11,866	11	9	55	60	11	4
Shahpur	1,398	1,243	13,518	11,971	10	10	49	54	9	9
Mooltan	2,712	2,555	32,415	20,832	12	8	51	66	19	14
Jhang	1,001	607	12,296	6,838	12	11	44	52	13	16
Montgomery	939	915	15,634	7,866	17	9	39	42	21	6
Muzaffargarh	805	763	8,628	7,709	11	10	68	59	12	19
Dera Ismail Khan	905	707	11,925	13,283	13	19	75	59	36	37
Dera Ghazi Khan	1,351	1,307	21,148	19,951	16	15	62	62	38	35
Bannu	1,286	1,464	27,371	31,313	21	21	59	62	50	34
Peshawar	2,565	2,799	40,336	31,623	16	11	79	70	42	32
Hazara	1,173	1,523	13,701	15,519	11	10	69	71	22	18
Kohat	1,136	1,646	22,162	32,263	19	19	62	57	49	61
Total { District Courts ...	59,077	53,947	5,59,492	4,86,275	10	9	63	63	21	22
Total { Sessions Courts ...	226	182	13,726	15,487	80	85	35	25	29	12

The average per person fined in District Courts has fallen slightly from Rs. 10 of the previous four years; while the average in Sessions trials is Rs. 85 against Rs. 80 in 1883 and Rs. 144 in 1882. The averages for the Frontier Districts were, as usual, rather high, because fines under the Frontier Regulations are included. The lowest averages in other Districts were Rs. 3 in Simla and Rs. 4 in Kangra; and the highest Rs. 12 in Jhelum. The average of realizations on account of the fines imposed in the year was in Districts 63 per cent. against the same proportion in 1883, and 64 in 1882. It was lowest in Montgomery (42 per cent.). In the Report of last year it was suggested that the high average of fines (Rs. 17 a person) in that District might account for the low proportion of realization; but, although the average amount of fine has fallen to Rs. 9, the percentage realized has only increased from 39 to 42; and there would appear to be some slackness in taking measures for realization. The highest proportion realized was in Kangra (84 per cent.); and it was also high in the three Districts noted in the margin. The proportion of realization of fines imposed by Courts of Session fell from 35 to 25 per cent.; but was higher than in 1882 (21). The total amount of these fines imposed is, however, small. The proportion of the amount awarded as compensation to the whole amount of the fines imposed was in District Courts 22 per cent. against 21 in 1883 and 18 in 1882. It was highest in the Frontier Districts, where the greater part of the fines under the Regulations are always awarded to the injured parties. In the other Districts it varied greatly, being 4 per cent. in Gujrat and 27 per cent. in Karnál.

Simla	79
Jullundur	78
Sialkot	77

PART III.—APPELLATE JURISDICTION OF COURTS SUBORDINATE TO THE CHIEF COURT.

A.—District Courts.

Number of appeals instituted.

74. Criminal appeals were preferred to District Courts by 6,320 persons in 1884 as against 6064 in 1883. The number of appealable sentences and of appeals during the last four years are as follows:—

Year	1881.	1882.	1883.	1884.
Appealable sentences ...	45,913	46,318	45,392	40,036
No. of appellants ...	4,191	4,311	6,064	6,320

It was explained in the Report of last year that the change in the law introduced by the Criminal Procedure Code of 1882, which took away from the Appellate Court the power of enhancing sentences, had been followed by a large increase of the proportion of appeals instituted to appealable orders. This proportion has risen from 9 per cent in 1882, to 14 per cent in 1883, and 16 per cent. in 1884. The statement in the margin gives the percentages in the six Districts in which it was highest and the three in which it was lowest; and details have been added showing for each of these Districts the proportion of cases in which the appeal was wholly unsuccessful, that is in which the appeal was dismissed or the sentence of the lower Court confirmed.

District.	*Percentage.* Of appeals to appealable sentences.	*Percentage.* Of wholly unsuccessful appeals to appeals instituted.
Umballa ...	33	58
Hoshiarpur ...	32	72
Rohtak ...	29	78
Sirsa ...	29	86
Gujrat ...	29	67
Ferozepore ...	25	73
Hissar ...	7	49
Kangra ...	7	55
Peshawar ...	7	62

Amount of appellate business disposed of: average duration.

75. During the year under report 3,917 appeals were disposed of as compared with 3,641 decided in the preceding year, and the number of cases pending was 74 (concerning 138 persons) at the end of 1884, and 101 (concerning 144 persons) at the end of 1883. The Rawalpindi Division alone contributed 25 cases (61 persons) to the total of pending cases, the Rawalpindi District having 28 persons and Jhelum 19: but this would appear to be accidental, as the average duration of neither District is very high (8 and 11 days respectively). The average duration was again highest for Amritsar (18 days in 1884 and 20 days in 1883); and it was 13 days in Karnal, Umballa, Ludhiana and Bannu. The average for each District in the Province is shown in column 12 of the table given in the next paragraph.

The oldest appeal was instituted in the Court of the District Magistrate Peshawar (7th October 1884), and all other pending appeals were instituted in December.

Agency by which appellate work was disposed of.

76. The annexed statement shows for each District the number of appeals decided by the District Magistrate and by his Assistants, and the manner in which they were disposed of.

1	2	3	4	5	6	7	8	9	10	11	12
District.	Appeals disposed of.						Percentage of persons whose				Average duration of appeals
	By Deputy Commissioner.		By Extra Judicial Assistant.		By Assistant and Extra Assistant Commissioners.						
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Appeals were rejected.	Sentences were confirmed.	Sentences were reduced or altered.	Sentences were reversed, proceedings quashed or new trial ordered.	
Delhi ...	133	133	7	7	...	...	30	37	9	24	7
Gurgaon ...	127	167	...	...	...	...	12	31	23	34	7
Karnal ...	117	117	...	...	..	...	71	...	3	26	13
Hissar ...	45	77	...	...	...	...	47	2	21	30	5
Rohtak ...	71	185	...	...	...	...	4	74	4	18	11
Sirsa ...	39	81	...	.	...	...	74	12	8	6	5
Umballa ...	164	295	...	...	...	...	20	38	8	34	13
Ludhiana ...	81	198	...	...	...	...	76	1	6	17	13
Simla ...	...	...	...	...	...	...	...	...	...	...	...
Jullundur ...	119	188	...	...	...	...	2	64	15	19	5
Hoshiarpur ...	182	314	6	8	...	...	70	2	6	22	6
Kangra ...	61	107	41	63	12	15	52	3	16	29	7
Amritsar ...	223	409	...	...	...	...	23	52	5	20	18
Gurdaspur ...	79	124	...	...	...	...	2	58	8	32	6
Sialkot ...	359	448	...	...	...	...	...	60	16	24	7
Lahore ...	166	277	...	...	...	...	...	71	9	20	5
Gujranwalla ...	104	192	...	...	...	..	7	46	11	36	4
Ferozepore ...	146	272	6	14	...	...	2	71	4	23	5
Rawalpindi ...	234	439	...	...	...	...	1	40	18	41	8
Jhelum ...	82	137	...	...	83	144	38	25	15	22	11
Gujrat ...	137	339	...	...	...	...	11	56	4	29	5
Shahpur ...	121	222	..	...	...	...	13	32	17	38	7
Mooltan ...	139	167	51	79	...	...	80	4	4	12	11
Jhang ...	133	174	...	...	...	...	55	2	9	34	10
Montgomery ...	75	97	...	...	...	...	31	39	16	14	7
Muzaffargarh ...	108	122	...	...	...	...	67	9	7	17	9
Dera Ismail Khan ...	57	57	1	1	...	...	5	38	36	21	11
Dera Ghazi Khan ...	85	104	3	3	...	...	50	13	9	28	4
Bannu ...	102	166	...	...	8	8	75	10	4	11	13
Peshawar ...	63	110	...	...	...	...	...	62	13	25	9
Hazara ...	72	159	...	...	..	...	31	26	20	23	6
Kohat ...	69	108	...	...	...	...	24	20	19	37	7
Total .. 1883	3,377	5,476	162	267	102	266	23	37	10	30	9
Total .. 1884	3,693	5,985	121	175	103	167	28	36	11	25	9

District Magistrates thus decided 95 per cent of the appeals; and in all except 8 Districts they kept the whole Criminal Appellate work in their own hands. In Kangra the Assistant Commissioner in charge of the Kulu outpost usually hears the appeals arising within his local jurisdiction; but the Judicial Assistant (or District Judge) disposed of two-fifths of the remainder. The District Magistrate assigns no reason for relieving himself of so much of his proper work. In Jhelum the Officer in charge of the Pind Dadan Khan outpost is also invested with appellate powers, and hears all appeals from 2nd and 3rd class Magistrates within his local jurisdiction; and the Officer in charge of the Mianwali (Bannu) outpost has also, as a rule, Criminal Appellate powers. In Mooltan the District Magistrate explains that it is necessary for him to spend a great part of the year in camp supervising the work of his revenue subordinates in connection with the system of fluctuating assessments; and the Court has admitted that, in view of the inconvenience that would be caused to persons appealing from orders passed in petty cases by the City and subordinate head-quarters Magistrates if they had to follow the District Magistrate about, the District Judge should hear such criminal appeals during the absence of the District Magistrate. These remarks account for all but 16 of the appeals which were not heard by District Magistrates; and the results, except in the case of Kangra, are very satisfactory.

Results of appeals as regards the Courts whose orders were appealed against.

77. Of the appeals disposed of 64 per cent were wholly unsuccessful, as against 60 in 1883 and 55 in the two preceding years. This increase may be attributed, as was explained in the Report of last year, to the freer exercise of the right of appeal which has followed the withdrawal from Appellate Courts of the power of enhancement. The percentage was highest in the

abolished Sirsa District—(ten months' figures) 86 per cent: and was also very high in Mooltan—84 per cent. As to the latter the Sessions Judge thinks that the figures of Mooltan "suggest a suspicion that appeals were rather summarily dealt with." In no District does the percentage fall so low as 40; but in Rawalpindi it is 41; and in Gujrat and Dera Ismail Khan, 43. In Gujrat the high percentage of cases in which it was necessary to interfere is attributed by the District Magistrate to the inferior work of one Tahsildar; but in the other Districts no explanation is attempted. It is evident (as the statement in the margin of paragraph 74 will show) that in some Districts the right of appeal is much more freely exercised than in others.

Applications for revision.

78. The annexed statement shows the details of revision work in the courts of District Magistrates. No comparison is made with the details of institutions in previous years, because unsuccessful applications on account of complainants are now for the first time included.

Number of accused persons before the Courts by application.			Applications rejected including those which the Courts have refused to submit to the Chief Court.	Applications dealt with under Section 436 or 437, Criminal Procedure Code.	Cases referred to the Chief Court under Section 438, Criminal Procedure Code.	Applications pending.	Average duration.
On behalf of accused.	On behalf of complainant.	Total.					
429	356	785	595	105	63	22	7

The following are the details for the cases in which action was taken.

Year,	Committal or further inquiry ordered.	Reported to the Chief Court.	Pending.
1882	27	40	6
1883	46	44	9
1884	105	63	22

Gujrat contributes 23 and 7 to columns 2 and 3 respectively for the year under report; and Shahpur, 20 and 9. The increase probably denotes greater vigilance on the part of District Magistrates in watching the work of Subordinate Courts.

B.—Courts of Session.

Appellate work for disposal by the Courts of Session.

79. The annexed table exhibits the appellate work done by Courts of Session during the last three years:—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
	FOR DISPOSAL.						DISPOSED OF																
							Persons.								Total.				*Pending at the end of the year.*				
YEAR.	*Pending from last year.*		*Instituted during the year.*		*Total.*		Died, escaped, or transferred to another Court.	Appeals rejected otherwise than on the merits.	*Appeals rejected under Section 421, C. P. C.*		Sentence or order confirmed after hearing.	Sentence reduced or order otherwise altered.	Sentence or order reversed.	New trial or commitment ordered.	*After directing further enquiry under Sec. 428, C. P. C.*		*Without directing further enquiry.*				Average duration of appeals.	Number of appeals pending more than three months.	Date of oldest appeal pending.
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.			Without calling for files.	After perusal of files.					Cases.	Persons.	Cases.	Persons.	Cases.	Persons.			
1884	161	179	3,991	4,870	4,152	5,055	1	47	328	1,784	1,880	402	953	17	57	70	3,953	4,808	132	177	19	1	13-9-84
1883	110	142	3,811	4,554	3,921	4,696		64	302	1,337	1,683	495	841	16	78	93	3,682	4,424	101	179	18		2-10-83
1882	72	80	2,965	3,561	3,037	3,641	8	53	307	1,041	1,109	245	721	18	[illegible]	96	2,842	3,403	110	142	17	3	10-7-82

Separate sets of returns have been prepared for the first ten and for the last two months of 1884, and the details for each Division cannot, therefore, conveniently be shown. The same cause as has been assigned for the increase of the appellate business in the District Courts,—the withdrawal in the Criminal Procedure Code of 1882 from appellate Courts of the power of enhancing a sentence appealed against, may also be taken as accounting for the large increase in the institutions of appeals in the Courts of Session. The increase in 1884 on the figures of the preceding year is normal. The proportion of appeals to appealable sentences which was 45 per cent. in 1883, and 34 per cent. in 1882, is 50 per cent. for the year under report.

Disposal of business.

80. Of the appeals for disposal 4,020 were decided, leaving a pending file of 132 cases involving 177 persons, as against 161 cases and 179 persons at the end of 1883. The pending files of the Jhelum (37 cases and 76 persons) and Peshawar (24 and 25) Sessions Divisions were highest. The Jhelum average duration is lower than that of the whole Province; and the work must therefore have been disposed of with sufficient promptitude. For Peshawar the average duration was very high, being 35 days for the first ten, and 49 for the last two months. It was also high in Delhi during the last two months,—(29 days). The oldest pending appeal was instituted in the Peshawar Sessions Court on 13th September 1884; and one was instituted in the Delhi Court on 25th September 1884. No other appeal had been pending for more than three months.

Results of appeals to Courts of Session.

81. Of the persons who appealed 70 per cent. were wholly unsuccessful, as against 72 per cent. in 1883 and 71 per cent. in 1882; while 20 per cent. obtained a complete reversal of their sentences, and 10 per cent. modifications of them, the figures for 1883 being 19 and 9 per cent. respectively.

Revision work of the Courts of Session.

82. The following statement shows the revision work of the Courts of Session during the last three years :—

Year.	*No. of accused persons before the Courts by application.*			Applications rejected including those which the Courts have refused to submit to the Chief Court.	Committal or further inquiry ordered.	Cases referred to the Chief Court under Sec. 438, Criminal Procedure Code.	Applications pending.	Average duration.
	On behalf of accused.	On behalf of complainants.	Total.					
1882	...	...	255	206	14	30	5	
1883	...	...	356	265	42	41	8	
1884	298	71	369	307	18	30	14	16

PART IV.—CRIMINAL BUSINESS OF THE CHIEF COURT.

Original trials.

83. Three cases were disposed of by the Chief Court in the exercise of its original criminal jurisdiction during the year 1884, as compared with two cases in the preceding year. In one case the accused was convicted of murder under Section 302 of the Indian Penal Code, and was sentenced to death. In another case the accused was charged with murder and culpable homicide not amounting to murder; and was directed to be kept in prison pending the orders of Government under Section 471 of the Criminal Procedure Code. In the third case the accused was acquitted of the charge of murder. There were no cases remaining at the close of the year.

References.

84. The annexed table shows the work of the Chief Court as a Court of Criminal reference during the last two years.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
		For disposal.		Disposed of.							Pending.		
						Persons.							
Divisions.	Year.	Cases.	Persons.	Cases.	Persons	Conviction and sentence confirmed.	Conviction affirmed but sentence modified.	Convicted and sentenced under minor charge.	Acquitted.	Fresh trial ordered.	Cases.	Persons.	Average number of days each case lasted.
Delhi ...	1884	4	4	2	2	2	...	...	...	...	2	2	28
	1883	6	10	6	10	8	2	...	...	...	...	...	64
Hissar ...	1884	1	1	1	1	...	...	...	1	...	...	...	48
	1883	4	5	3	4	1	...	1	2	...	1	1	61
Umballa ...	1884	10	11	8	8	5	2	...	1	...	2	3	32
	1883	9	12	7	10	6	2	...	2	...	2	2	48
Jullundur ...	1884	7	8	7	8	7	...	...	1	...	...	...	31
	1883	6	7	4	5	4	1	...	...	...	2	2	35
Amritsar ...	1884	3	3	2	2	1	1	...	...	...	1	1	48
	1883	4	5	4	5	4	1	...	...	...	...	...	58
Lahore ...	1884	5	7	3	4	4	...	...	...	...	2	3	40
	1883	6	7	6	7	5	2	...	...	...	...	...	41
Rawalpindi ...	1884	15	27	11	16	14	1	...	1	...	4	11	53
	1883	28	37	24	30	10	13	1	5	1	4	7	44
Mooltan ...	1884	3	4	3	4	1	1	...	2	...	...	...	62
	1883	6	7	5	5	4	1	...	...	...	1	2	27
Derajat ...	1884	15	15	14	14	10	3	...	1	...	1	1	34
	1883	20	25	17	22	10	6	3	2	1	3	3	48
Peshawar ...	1884	15	18	10	13	6	5	2	...	...	5	5	49
	1883	16	20	15	18	12	4	1	1	...	1	2	35
Total ...	1884	78	98	61	72	50	13	2	7	...	17	26	42
	1883	105	135	91	116	64	32	6	12	2	14	19	46

Note.—This Statement has been prepared according to the old Sessions Divisions.

It will be seen that there has been a considerable falling-off in the numbers of cases and persons for disposal (27 and 37), the decrease being most marked in the Rawalpindi and Derajat Divisions (10 persons in each). The number of references in 1884 was less than in any year since 1879.

The percentage of sentences confirmed was 69 as against 55 in 1883. At the close of the year there were pending 17 references affecting 26 persons; but 11 of these cases were submitted during the last few days of December. The average duration of the references disposed of was 42 days as against 46 in the previous year.

Criminal appellate work.

85. The number of Criminal appeals instituted in the Chief Court during the last five years is shown in this statement:—

	1880.	1881.	1882.	1883.	1884.
From orders of Courts of Session ...	248	294	277	252	225
From orders of Courts of District Magistrates	397	420	454	250	256
Total ...	645	714	731	502	481

The cause of the falling-off in the number of appeals to the Court from the orders of District Magistrates was explained in last year's Report (paragraph 94) to be the change in the law which the Criminal Procedure Code of 1882 introduced; and the figures for 1884 are very much the same as for 1883. There has been a considerable decrease in the more important, and a slight increase in the less important classes of appeals as will be seen from the following details:—

1	2	3	4	5	6
	Appeals from				
Year.	Sentence of death or transportation for life.	Sentence of imprisonment or transportation for 7 years or upwards.	Sentence of imprisonment exceeding 3 years but less than 7 years.	Sentence of imprisonment for three years or less than three years.	Total.
1883	177	95	147	83	502
1884	145	93	164	79	481

Of 536 cases affecting 696 persons the appeals of 617 persons were disposed in the number shown below, the figures for 1883 being added for purposes of comparison.

	Number of persons.		*Proportion to total number disposed of.*	
	1883	1884	1883	1884
Appellants who died or whose appeals were transferred ...	11	20	1·6	3·2
Appeals rejected ...	214	227	32·1	36·8
Sentences confirmed ...	209	217	31·4	35·2
" modified ...	139	79	20·9	12·8
" annulled ...	93	74	14·0	12·0

The pending file at the close of the year consisted of 55 appeals affecting 82 persons, as against 54 appeals and 79 persons for 1883. Three of the pending appeals had been on the file for more than three months. The average duration of the decided cases was 42 days in 1884, 46 days in 1883, and 39 days in 1882.

Revision.

86. The following table shows the revision business of the Chief Court during the last three years:—

	Pending from previous year.		Instituted.		Disposed of.		Pending.	
	Cases	*Persons*	*Cases*	*Persons*	*Cases*	*Persons*	*Cases*	*Persons*
1882...	105	217	1,032	2,133	1,039	2,136	98	214
1883...	98	214	1,223	2,645	1,218	2,652	103	207
1884...	103	207	1,388	3,012	1,387	2,964	104	255

These figures show a steady increase in this branch of the Court's work. The details of the manner in which the cases came before the Court during the last three years are:—

Year.	Number of cases.			Total.
	Reported by Sessions Judges and District Magistrates.	Instituted by petition.	Taken up by the Court of its own motion	
1882 ...	149	851	32	1,032
1883 ...	112	1,083	28	1,223
1884 ...	131	1,231	26	1,388

The increase has been most marked in the institutions by petition. The methods of disposal in 1883 and 1884 are given below :—

	Number of persons.		Proportion to total number disposed of.	
	1883	1884	1883	1884
Applicants who died or whose applications were transferred	33	45	... 1	1
Applications rejected ...	1677	1872	... 63	63
Orders confirmed ...	292	329	... 11	11
Sentences enhanced ...	21	39	... 1	2
„ modified ...	187	232	... 7	8
Orders reversed or quashed ...	442	447	... 17	15

Thus, notwithstanding the greater number of cases for disposal, the number of those in which the Court interfered was little in excess of the figures of 1883. The average duration of the proceedings was 26 days as compared with 31 in 1883, and 27 in 1882.

Miscellaneous cases.

87. In addition to the above the Court disposed of 31 miscellaneous cases, *i.e.*, applications for transfer of cases, and inspected the files of 79 cases in which the proceedings seemed open to criticism as against 49 in the previous year.

PART V.—PROCEDURE AND SUPERINTENDENCE.

Preliminary examination of complainants; recording of evidence and examination of accused.

88. The subject of the preliminary examination of complainants has already been referred to in detail in connection with the statistics of complaints summarily dismissed (paragraph 4). The continued attention bestowed by Sessions Judges and District Magistrates on the action of Subordinate Courts in this matter, has no doubt been attended with good results; and it may be said that, as a rule, cases are not unnecessarily referred to the Police, or the parties complained against unduly harassed through the action of the Courts. Most of the Reports state that the provisions of the Code with regard to the record of evidence and the examination of accused persons are complied with; and no special irregularities of procedure in this or other respects are mentioned. It has been suggested that a notice of these points might in future be omitted; but there is this advantage in requiring officers to refer to them in the Reports, that it insures their not being neglected in inspections, and it cannot be said that no instances occur in which the provisions of the law as to such matters are disregarded.

Habitual offenders.

89. Reference has also been made (paragraph 51) to the treatment by the Courts of habitual offenders. In many Districts a rule is in force that all cases in which an accused has been previously convicted of an offence under Chapter XVII, Indian Penal Code, are first laid before the District Magistrate, who keeps them in his own Court, if he thinks that it

will be necessary to exercise his enhanced powers of punishment in the event of a conviction. The Chief Court, in issuing instructions on the subject, refrained from insisting on the general adoption of such a rule, holding that the District Magistrate must be considered responsible for the proper treatment of such cases by the Courts of his District. All cases in which the accused have been previously convicted are entered in a District monthly statement which comes before the Court for review; and action is taken whenever it appears that an inadequate sentence has been passed. As already remarked, such interference is necessary in comparatively few cases; and most District Magistrates are alive to the importance of taking steps to prevent persons previously convicted from escaping with light sentences.

It has been held by the Court that the discovery, subsequent to conviction and sentence, that an accused person has under another name been punished, is not a sufficient reason for revising the order. It is the duty of the Police to obtain proof of the identity of the accused, and to bring home to him previous convictions.

There is still some laxity in many Courts in the matter of proving and setting forth against accused persons previous convictions.

Extracts from Reports of District Magistrates and Sessions Judges.

90. Appended to this Report will be found such extracts from the District and Divisional Reports as appeared of special interest. These have been printed in accordance with the sanction conveyed in letter No. 1137, dated 13th December 1884, from the Secretary to Government, Punjab. It must be remembered that almost all the Sessions Judges are not only new to their Divisions, but also that most of them had never held the position before; and, as their Reports are written usually after two months' experience, it was not to be expected that they should contain very much information. Very many of the District Magistrates, too, were new to their charges, and could do little more than review the figures laid before them.

I have the honor to be,

Sir,

Your most obedient servant,

T. GORDON-WALKER,

Registrar, Chief Court, Punjab.

STATEMENT No. 1.

STATEMENT SHOWING THE NUMBER OF OFFICERS EXERCISING JURISDICTION IN CRIMINAL CASES IN THE PUNJAB ON THE LAST DAY OF THE YEAR 1883, AND THE WORK DONE DURING THE YEAR.

Class of Court.	Number of Officers.		Number of Cases Decided.			
			Original.		*Appeal.*	
	European	Native	Regular	Miscellaneous	Regular	Miscellaneous
1	2	3	4	5	6	7
I.—Magistrates—						
Special Magistrates	19	15	616	8	...	...
Honorary Magistrates sitting singly { 2nd and 3rd class	1	52	3,467	1,088	...	...
Honorary Magistrates sitting singly { 1st class	1	6	1,414	413	...	...
Benches of Magistrates	...	144	9,063	1,896	...	...
Stipendiary Magistrates other than Chief Magistrates of Districts { 2nd and 3rd class ...	10	162	34,673	22,758	...	...
Stipendiary Magistrates other than Chief Magistrates of Districts { 1st class ...	41	67	27,137	28,605	224	...
Chief Magistrates of Districts	32	...	3,440	14,988	3,693	23
Total ...	104	446	79,810	69,756	3,917	23
II.—Court of Session	13	...	617	2	4,020	8
III.—Chief Court	5	...	64	31	482	...
Grand Total ...	122	446	80,491	69,789	8,419	31

STATEMENT No. 2.

STATEMENT OF OFFENCES REPORTED AND OF PERSONS TRIED, CONVICTED AND ACQUITTED OF EACH CLASS OF OFFENCE IN THE PUNJAB IN THE YEAR 1884.

DESCRIPTION OF OFFENCE.		Offences reported.	Complaints dismissed under Section 203, Criminal Procedure Code.		Other cases struck off as false.	Balance of cases returned as true.	Number of cases brought to trial during the year.	Under trial during the year.	Persons.				
			Without reference to the police.	After reference to the police.					Discharged in consequence of the non-attendance of the complainant or the withdrawal of the complaint.	Acquitted or discharged on other grounds.	Convicted.	Died, escaped, transferred to another province, or trial postponed in consequence of insanity.	Remaining under trial at the close of the year.
1		2	3	4	5	6	7	8	9	10	11	12	13
A.—Offences under the Penal Code.													
Offences against the State.	Chap. VI. Sections 121 to 130	...	...	...	...	...	...	...	...	...	...	...	...
Offences against the Army and Navy.	„ VII. „ 131 to 140	12	10	1	...	1	1	1	...	1	...	...	...
Offences against the public tranquillity.	„ VIII. „ 143 to 145, 149 to 151, 157, 158. Unlawful Assembly	86	19	8	1	58	55	462	16	164	280	...	2
	„ 147, 148, 152 and 153 to 156. Rioting &c.	1,100	254	117	48	681	647	6,099	114	1,947	3,670	3	365
	„ 160. Affray	209	10	3	2	194	192	1,215	30	379	793	...	13
Offences by or relating to public servants.	„ IX. „ 161 to 169. By public servants ...	189	79	14	1	95	99	135	6	106	21	...	2
	„ 161, 170 and 171. Relating to public servants	162	34	27	...	101	86	137	8	76	53	...	...
Contempts of the lawful authority of public servants.	„ X. „ 172 to 190	1,244	122	36	2	1,084	1,074	1,900	64	907	890	2	37
False evidence and offences against public officers.	„ XI. „ 193 to 200. False evidence or subornation, &c., of public servants ...	346	56	7	...	283	293	597	7	342	238	...	10
	„ 201 to 229. Offences against public justice	956	206	61	11	678	654	1,145	51	560	507	6	21
Offences relating to coin and Government stamps.	„ XII. „ 231 to 254. Offences relating to coin...	126	3	12	8	103	95	116	6	48	64	...	...
	„ 255 to 236. Offences relating to stamps	6	1	...	...	5	3	4	...	3	1	...	...
Offences relating to weights and measures.	„ XIII. „ 264 to 267.	80	5	...	...	75	71	123	1	59	62	...	1

Offence affecting the public health, safety, convenience, decency and morals.	„ XIV.	„ 269 to 278. Offences affecting public health	200	25	8	...	167	165	429	13	91	313	...	12
		„ 279 to 289. Offences affecting safety...	174	16	8	2	148	144	272	13	86	154	1	18
		„ 290 and 291. Offences affecting convenience	320	115	36	4	165	166	660	75	198	382	...	7
		„ 292 to 294. Offences affecting decency and morals	46	9	5	...	32	31	66	17	27	22	...	...
		„ 294 A. Keeping lottery office or publishing proposals for lottery ...	...	...	...	...	...	...	...	...	...	...	...	...
Offences relating to religion.	„ XV.	„ 295 to 298	294	79	43	4	168	162	482	114	265	95	...	8
Offences affecting the human body	„ XVI.	„ 302 and 303. Murder	402	6	12	37	347	312	613	...	311	212	6	84
		„ 307. Attempt at murder	72	2	6	6	58	50	86	...	54	17	...	15
		„ 304. Culpable homicide	165	3	6	18	138	125	287	...	105	168	2	12
		„ 304A. Causing death by rash or negligent act	53	...	1	3	49	50	67	4	22	34	...	7
		„ 308. Attempt at culpable homicide...	3	...	1	...	2	1	1	...	1	...	...	...
		„ 305 and 306. Abetment of suicide ...	..	...	...	...	...	...	...	...	...	...	...	...
		„ 309. Attempted suicide	201	10	8	9	174	157	158	1	51	104	...	2
		„ 311. Thuggee, &c.	2	1	...	1	...	...	...	...	...	...	...	...
		„ 312 to 315. Causing miscarriage ...	54	7	12	2	33	25	44	4	28	11	...	1
		„ 316. Injury to unborn children ...	6	2	2	1	1	1	1	...	...	...	...	1
		„ 317. Exposure of infants ...	35	2	2	6	25	14	15	...	8	5	...	2
		„ 318. Concealment of birth by secret disposal of dead body	34	...	...	2	32	24	35	...	17	18	...	...
		„ 325 to 331 & 333. Hurt with aggravating circumstances	1,338	119	83	91	1,045	809	1,567	104	569	847	3	44
		„ 323, 324, 332 and 334 to 338. Other cases	8,310	1,884	376	27	6,023	5,426	14,364	7,394	4,083	2,641	9	237
		„ 341. Wrongful restraint ...	945	372	149	8	416	364	948	372	456	111	...	9
		„ 342 to 348. Wrongful confinement ...	729	262	164	17	286	258	760	220	407	123	...	10
		„ 352 to 358. Criminal force or assault	32,713	9,192	818	48	22,555	20,490	49,387	31,095	11,415	6,269	9	599
		„ 364, 366, 367. Kidnapping or forcible abduction with aggravating circumstances	131	49	27	8	47	37	122	...	72	27	3	20
		„ 363, 365, 368, 369. Other cases ...	376	108	92	38	138	112	212	5	121	70	6	10
		„ 370, 371. Slavery	23	10	6	1	6	5	10	...	10	...	...	...
		„ 372 and 373. Buying or selling a minor for the purpose of prostitution ...	23	11	5	1	6	5	18	...	16	2	...	...
		„ 374. Forced labor	7	1	2	...	4	3	6	1	2	3	...	...
		„ 376. Rape	237	39	46	20	132	103	126	1	81	42	...	2
		„ 377 Unnatural offences	122	5	20	28	69	62	76	...	36	37	...	3
Offences against property.	„ XVII.	„ 382. Theft with aggravating circumstances	41	10	8	...	23	19	44	...	18	26	...	...
		„ 379 to 381 and 401. Other cases...	15,087	1,538	2,427	588	10,534	6,543	9,063	83	3,104	6,321	37	119
		„ 386 to 389. Extortion with aggravating circumstances	34	23	6	...	5	4	5	...	3	1	...	1
		„ 384 and 385. Other cases ...	937	456	260	2	219	211	515	52	364	73	...	26
		„ 394 } *Robbery.* { With hurt ...	44	10	4	1	29	23	45	...	25	20	...	...
		„ 392 } *Robbery.* { Other cases ...	484	123	128	44	189	120	252	...	127	112	...	13
		„ 393 } *Robbery.* { Attempts ...	18	2	6	2	8	8	14	2	6	6	...	...

No. 2.—*continued.*

DESCRIPTION OF OFFENCE.	Offences reported.	Complaints dismissed under Section 203, Criminal Procedure Code. Without reference to the police.	After reference to the police.	Other cases struck off as false.	Balance of cases returned as true.	Number of cases brought to trial during the year.	Under trial during the year.	Persons. Discharged in consequence of the non-attendance of the complainant or the withdrawal of the complaint.	Acquitted or discharged on other grounds.	Convicted.	Died, escaped, transferred to another province, or trial postponed in consequence of insanity.	Remaining under trial at the close of the year.
1	2	3	4	5	6	7	8	9	10	11	12	13
A.—Offences under the Penal Code—concluded.												
Offence against property—*concld.* Ch. XVII — Dacoity — Sec. 396 — With murder	6	...	...	...	6	4	19	...	9	4	...	6
Dacoity — „ 397 — With attempt to cause death or grievous hurt ...	15	1	2	1	11	7	12	...	6	6	...	...
Dacoity — „ 398 — Attempted robbery or dacoity when armed with deadly weapons	1	...	...	...	1	1	1	...	...	1	...	...
Dacoity — „ 395, „ 399, „ 400 & 402 — Other cases	42	3	3	2	34	10	38	...	13	20	...	5
„ 403 and 404. Criminal misappropriation of property	780	217	89	5	469	432	745	25	341	353	3	23
„ 406 to 409. Criminal Breach of trust	1,166	379	150	44	593	541	678	38	381	230	1	28
„ 411 to 414. Receiving or habitually dealing in stolen or plundered property	2,888	68	64	153	2,603	2,067	3,234	3	1,261	1,893	27	50
„ 417 to 420. Cheating	1,973	947	279	2	745	735	1,170	78	819	242	...	31
„ 421 to 424. Fraudulent deeds or disposition of property	31	17	3	...	11	11	17	...	8	1	1	7
Mischief — „ 429 to 433 and 435 to 440. — With aggravating circumstances	1,589	363	202	87	937	561	1,327	52	848	401	2	29
Mischief — „ 426 to 248, and 434. — Other cases ...	4,201	1,368	564	19	2,250	2,118	5,234	2,242	1,860	1,065	...	127
Criminal trespass — „ 459 and 460. — Resulting in death or grievous hurt	57	...	28	1	28	18	36	...	12	13	...	11
Criminal trespass — „ 449 to 452, 454, 455, 457 & 458 — For commission of serious offences	10,222	132	126	257	9,707	2,543	3,908	16	1,495	2,332	12	53
Criminal trespass — „ 453 & 456 — Other serious cases	700	28	25	9	638	226	269	...	88	172	...	9
Criminal trespass — „ 447, 448, 461 & 462 — Minor cases ...	5,478	2,370	584	51	2,473	2,354	5,708	2,243	2,475	894	3	93

Offences relating to documents and to trade or property mark.	Ch. XVIII	Secs. 465 to 471 and 474. Forgery or uttering or possessing forged documents or papers	380	207	78	...	95	100	178	3	127	32	...	16
		„ 472 to 476. Counterfeiting or making or possessing a counterfeit seal, &c., for purposes of forgery ...	12	6	1	...	5	5	14	...	13	1	...	...
		„ 477. Fraudulently destroying or defacing a will or other document ...	34	18	12	...	4	5	16	2	10	4	...	...
		„ 482, 486, 487 and 488. Using a false trade or property mark and knowingly selling property so marked ...	57	41	2	...	14	14	24	4	16	2	...	2
		„ 483 to 485. Counterfeiting or making or possessing a die, plate, or instrument for counterfeiting a trade or property mark	35	27	3	...	5	6	16	...	16	...	...	...
		„ 489. Removing, destroying, &c., a trade or property mark with intent to cause injury	15	10	2	...	3	2	5	1	4	...	...	...
Criminal breach of contract of service.	„ XIX	„ 490 to 492	65	35	4	...	26	24	46	15	6	13	...	12
Offences relating to marriage ...	„ XX	„ 493 to 498	7,795	2,433	629	32	4,701	4,274	6,151	2,409	2,849	704	16	173
Defamation,	„ XXI	„ 500 to 502	672	236	42	3	391	396	811	430	305	62	4	10
Criminal intimidation, insult or annoyance.	„ XXII	„ 506. The threat being to cause death or other grievous hurt	51	15	7	...	29	28	53	21	23	8	...	1
		„ 504 to 510. Other cases ...	1,954	593	115	...	1,246	1,240	2,115	1,189	621	291	...	14
		TOTAL ...	108,396	24,804	8,077	1,758	73,756	57,021	126,174	48,644	40,368	33,593	156	2,413

B.—OFFENCES UNDER SPECIAL AND LOCAL LAWS.

Breach of laws relating to—													
Arms, Ammunition and Military Stores	... Act XI of 1878 ...	223	1	2	7	213	207	263	...	71	190	...	2
Canals	... „ VIII of 1873 ...	577	...	...	...	577	577	1.294	85	351	858	...	...
Cantonments, Military	... „ III of 1880 ...	2,846	...	1	7	2,838	2,839	5,852	1	571	5,280	...	...
Cattle Trespass	... „ I of 1871 ...	2,265	611	188	...	1,466	1,416	4,298	2,267	1,268	715	...	48
City Chaukidars	... „ XX of 1856 ...	95	1	...	...	94	94	151	...	48	102	...	1
Code of Civil Procedure	... „ XIV of 1882 ...	56	1	...	...	55	57	70	3	23	42	1	1
Companies Act	... „ VI of 1882 ...	...	...	...	...	...	...	...	...	...	...	...	...
Contract—Workmen	... „ XIII of 1859 ...	130	24	1	2	103	103	248	199	40	8	...	1
Contract by workmen on Railways and other Public Works	... „ IX of 1860 ...	...	...	...	...	...	...	...	...	...	...	...	...
Criminal Tribes and Eunuchs ...	... „ XXVII of 1871 ..	568	...	...	5	563	364	488	6	45	431	5	1
Emigration	... „ VII of 1871 ...	...	...	...	...	...	...	...	...	...	...	...	...
Excise on spirits and drugs ...	... „ XXII of 1861 & XVI of 1863	264	8	1	...	255	256	482	1	194	279	...	8
Factories	... „ XV of 1881 ...	...	...	...	...	...	...	...	...	...	...	...	...

No. 2.—*concluded.*

DESCRIPTION OF OFFENCE.	Offences reported.	Complaints dismissed under Section 203, Criminal Procedure Code.		Other cases struck off as false.	Balance of cases returned as true.	Number of cases brought to trial during the year.	Under trial during the year.	Persons.				Remaining under trial at the close of the year.
		Without reference to the police.	After reference to the police.					Discharged in consequence of the non-attendance of the complainant or the withdrawal of the complaint.	Acquitted or discharged on other grounds.	Convicted.	Died, escaped, transferred to another province, or trial postponed in consequence of insanity.	
1	2	3	4	5	6	7	8	9	10	11	12	13
B.—Offences under Special and Local Laws.—concluded.												
Farcy and Glanders ... ... Act XX of 1870 ...	...	...	...	...	...	...	...	...	...	...	...	...
Ferries ... ... „ XVII of 1878 ...	14	...	...	...	14	14	24	3	4	17	...	...
Foreigners ... ... „ III of 1864 ...	...	...	...	...	...	...	...	...	...	...	...	...
Forests ... ... „ VII of 1878 ...	1,081	49	7	3	1,022	995	3,719	26	1,077	2,585	...	31
Gambling ... ... „ III of 1867 ...	181	...	1	3	177	175	931	1	257	627	...	46
Hackney and Stage Carriages ... ... „ XVI of 1861 & XIV of 1879 ...	312	1	...	...	311	311	468	16	94	358	...	...
License Act ... ... „ II of 1878 ...	...	...	...	...	...	...	...	...	...	...	...	...
Marriages—Christian ... ... „ XV of 1872 ...	...	...	...	...	...	...	...	...	...	...	...	...
Municipalities ... ... „ IV of 1873 ...	3,192	66	...	1	3,125	3,126	5,078	13	1,107	3,932	1	25
Murderous Outrages ... ... „ XXIII of 1867 & IX of 1877	1	...	...	...	1	1	4	...	3	...	1	...
Mutiny Act ... ... „ VII of 1867 ...	2	...	...	...	2	2	2	...	1	1	...	...
Opium ... ... „ I of 1878 ...	263	1	4	3	255	256	436	...	158	273	1	4
Pleaders ... ... „ XVIII of 1879 ...	1	...	...	...	1	1	1	...	1	...	...	...
Police ... ... „ V of 1861 ...	5,646	8	2	5	5,631	4,729	9,446	5	1,099	8,341	...	1
Post Office ... ... „ XIV of 1866 ...	13	1	...	...	12	11	15	...	2	13	...	...
Printing Presses ... ... „ XXV of 1867 ...	2	...	...	...	2	2	2	...	2	...	...	...
Prisons ... ... „ XXVI of 1870 ...	30	...	...	...	30	30	40	...	13	27	...	...
Prostitutes ... ... „ III of 1880 ...	343	42	...	...	301	303	537	1	77	458	...	1
Punjab Courts Act ... ... „ XVII of 1877 ...	11	...	...	...	11	11	11	...	1	10	...	...
Punjab Laws Act ... ... „ IV of 1872 ...	545	3	1	...	541	538	925	23	203	697	...	2
Railways ... ... „ IV of 1879 ...	554	8	12	2	532	515	660	4	150	501	3	2
Registration ... ... „ III of 1877 ...	3	...	...	...	3	3	8	...	7	1	...	...
Salt and Saltpetre ... ... „ XII of 1882 ...	90	...	...	...	90	90	169	...	18	150	...	1
Stamps ... ... „ I of 1879 ...	130	7	...	...	123	125	187	...	64	108	...	15
Telegraphs ... ... „ I of 1876 ...	1	...	...	...	1	1	2	...	...	2	...	...
Treasure Trove ... ... „ VI of 1878 ...	5	1	...	...	4	4	5	...	1	4	...	...
Vagrancy, European ... ... „ IX of 1874 ...	1	...	...	...	1	1	1	...	...	1	...	...

Wandering and Dangerous Lunatics ...	„ XXXVI of 1858 ...	...	...	...	...	...	...	...	...	...	...	...	...
Appointment of Municipal Committees in the Punjab	„ XV of 1867 ..	1	...	...	...	1	1	1	...	...	1	...	...
Hindoo widow re-marriages	„ XV of 1856 ...	1	...	...	...	1	1	4	...	3	1	...	...
Security to prevent breach of the peace ...	Chap. VIII, Cr. Pro. Code ...	3,391	570	396	...	2,425	2,418	8,876	2,129	2,393	4,300	...	54
Security for good behaviour	„ VIII, „ „ „ ...	3,325	19	11	1	3,294	3,271	4,400	196	919	3,259	2	24
Contempt of Court	„ XXXV „ „ „ ...	70	...	...	...	70	70	81	...	12	69	...	...
Frontier Rules.													
Regulation I of 1872, Section 3 ...	... ...	15	...	...	...	15	16	16	...	3	12	...	1
„ „ „ 4 ...	... ...	2	...	...	...	2	2	2	...	...	2	...	...
„ „ „ 8 ...	... ...	8	...	...	...	8	10	16	1	2	13	...	...
„ VII of 1873 „ 3, 5 & 6	... ...	2	...	...	...	2	4	7	...	...	7	...	...
„ IV of 1873 „ 2 ...	... ...	...	...	...	...	...	811	1,943	28	971	889	2	53
	TOTAL ...	26,262	1,424	627	39	24,172	23,761	51,163	5,008	11,253	34,564	16	322

STATEMENT No. 3.

STATEMENT OF MISCELLANEOUS PROCEEDINGS UNDER THE CRIMINAL PROCEDURE CODE IN THE PUNJAB, DURING THE YEAR 1884.

Nature of Proceedings.	For Disposal.		Disposed of.			Remaining under trial.	
				Persons.			
	Cases.	Persons.	Cases.	Discharged.	Convicted.	Cases.	Persons.
1	2	3	4	5	6	7	8
1. Proceedings against witnesses under Sections 87 to 89 and 485	22	23	22	2	21	...	...
2. Proceedings under Chapter VIII to prevent breach of the peace	2,420	8,892	2,402	4,522	4,316	18	54
3. Proceedings under Chapter VIII, security for good behaviour...	3,270	4,399	3,258	1,114	*3,256	12	24
4. Proceedings against public nuisances, Chapter X	85	241	79	177	54	6	10
5. Disputes as to immoveable property, Chapter XII	146	452	144	298	130	2	24
6. Frivolous or vexatious complaints summarily dealt with under Section 250 ...	994	1,145	994	1	1,144	...	...
7. Non-attendance of jurors or assessors, Section 332...	...	...	...	...	...	...	...
8. Contempts of Court under Section 480...	70	81	70	12	69	...	...
9. Maintenance, Chapter XXXVI	2,233	2,233	2,217	1,783	434	16	16
10. Forfeiture of bonds under Chapter XLII	244	339	228	83	245	6	11
Total ...	9,474	17,805	9,414	7,992	9,669	60	139

*Excludes { 1 person died, and
1 absconded
3 referred to Sessions Judges

STATEMENT No. IV.

STATEMENT

STATEMENT SHOWING THE GENERAL RESULT OF CRIMINAL TRIALS IN THE

Class of Tribunal.		NUMBER OF PERSONS FOR DISPOSAL.								PERSONS			
		Remaining at the end of the previous year.	Brought to trial during the year.						Total.	Died escaped or transferred.	Discharged without trial.		Acquitted.
			Under arrest by Police.	Upon warrant.	On Summons.	Voluntarily.	Received on commitment or reference.	Received by transfer.			In consequence of the non-appearance of the complainant or withdrawal of complaint.	On other grounds.	
1		2	3	4	5	6	7	8	9	10	11	12	13
I.—Magistrates.													
Special Magistrates ...		...	...	5	874	452	...	...	1,331	...	77	96	225
Honorary Magistrates ...	2nd and 3rd class ...	51	2,025	561	5,523	185	...	...	8,345	4	3,248	1,279	871
	1st class ...	50	1,202	253	1,034	34	...	...	2,573	9	494	428	301
Benches of Magistrates ...		101	5,683	602	12,352	525	...	...	19,263	4	6,570	1,515	3,340
Stipendiary Magistrates other than Chief Magistrates of districts ..	2nd and 3rd class...	1,006	17,754	5,273	56,422	2,457	...	1	82,913	42	32,355	11,124	11,191
	1st class ...	1,027	25,820	5,733	20,543	1,054	...	19	54,796	74	9,926	13,292	5,784
District and Divisional Magistrates cases referred under Section 349, Criminal Procedure Code ...		...	...	...	...	...	412	...	412	2	1	47	45
Chief Magistrates of Districts ...	Under their ordinary powers ...	175	4,251	340	682	229	1	1	5,679	37	155	1,703	663
	Under powers under Section 30, Criminal Procedure Code ...	61	1,101	28	7	5	...	...	1,202	3	...	111	117
Total ...		2,471	57,836	12,795	97,437	5,541	413	21	176,514	175	52,826	29,595	22,537
II.—Courts of Session ...	Trials under Chapter XIX...	130	...	...	...	...	707	...	837	5	...	...	307
	References under Section 34, Criminal Procedure Code...	18	...	...	...	...	282	...	300	...	...	...	4
	Other references ...	4	...	...	...	...	33	10	47	...	...	...	3
Total ...		152	...	...	...	...	1,022	10	1,184	5	...	...	314
III.—Chief Court ...	Original trials ...	2	...	...	...	...	1	...	3	...	...	...	1
	References under Section 374, Criminal Procedure Code ...	19	...	...	...	...	79	...	98	...	...	...	7
Total ...		21	...	...	...	...	80	...	101	...	...	...	8
Grand Total ...		2,644	57,836	12,795	97,437	5,541	1,515	31	177,799	180	52,826	29,595	22,859

No. IV.

TRIBUNALS OF VARIOUS CLASSES IN THE PUNJAB DURING THE YEAR 1884.

DISPOSED OF								NUMBER OF CASES DISPOSED OF.									
CONVICTED.									SUMMONS CASES.		WARRANT CASES.						
On regular trial.		On Summary trial.															
Appealable sentence passed.	Non-appealable sentence passed.	Appealable sentence passed.	Non-appealable sentence passed.	Committed or referred.	Total.	Persons remaining at the end of the year.	Number of cases brought to trial during the year.	Enquiries under Chap. XVIII.	Tried regularly.	Tried summarily.	Tried regularly.	Tried summarily.	Total.	Total number of cases pending.	Number of cases pending over 3 months.	Average number of days during which each case lasted.	Number of witnesses examined.
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
982	...	...	...	1	1,331	...	616	...	616	...	...	...	616	...	...	3	1,774
2,836	...	...	...	21	8,259	86	3,486	5	2,297	...	1,165	...	3,467	38	1	7	8,385
371	926	...	...	16	2,545	28	1,406	8	877	...	529	...	1,414	16	...	8	3,699
4,913	5	2,803	...	4	19,154	109	9,081	...	5,913	1,786	983	381	9,063	55	1	6	15,933
25,652	758	...	...	392	81,514	1,399	34,740	22	24,618	...	10,033	...	34,673	498	...	8	84,882
10,574	8,980	139	4,499	680	53,948	848	26,965	318	9,431	2,144	14,514	706	27,113	350	3	8	98,657
287	24	...	...	...	406	6	252	...	...	...	249	...	249	4	...	4	110
636	1,698	43	607	34	5,576	103	2,573	49	351	221	1,806	159	2,586	52	1	7	7,406
599	22	...	...	289	1,141	61	620	...	...	...	629	...	629	26	...	16	5,866
46,800	12,413	2,985	5,106	1,437	173,874	2,640	79,739	402	44,103	4,151	29,908	1,246	79,810	1,039	6	8	226,712
362	12	...	...	79	765	72	349	...	...	...	350	...	350	41	6	61	4,326
286	...	...	...	...	290	10	220	...	...	...	225	...	225	6	...	9	444
44	...	...	...	...	47	...	38	...	...	...	42	...	42	...	...	8	...
692	12	...	...	79	1,102	82	607	...	...	...	617	...	617	47	6	38	4,470
...	2	...	..	...	3	...	1	...	...	...	3	...	3	...	...	52	49
...	65	...	...	...	72	26	64	...	...	...	61	...	61	17	...	42	...
...	67	...	...	...	75	26	65	...	...	...	64	...	64	17	...	42	49
47,492	12,492	2,985	5,106	1,516	175,051	2,748	80,411	402	44,103	4,151	30,589	1,246	80,491	1,103	12	8	231,231

STATEMENT

STATEMENT SHOWING THE PUNISHMENTS INFLICTED BY THE VARIOUS

Class of Tribunal.	Persons sentenced to: Death.	Transportation: For life.	Transportation: For a term.	Penal servitude.	Imprisonment: Rigorous: With solitary confinement.	Imprisonment: Rigorous: Without solitary confinement	Imprisonment: Simple.	Forfeiture of Property.	Fine: With imprisonment or transportation.	Fine: Without imprisonment or transportation.	Whipping: In addition to other punishment.	Whipping: In lieu of other punishment.	Persons sentenced to find or give: Sureties of the peace.	Recognizance to keep the peace.	Sureties for good behaviour.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
I.—MAGISTRATES.															
Special Magistrates	...	...	...	...	...	57	23	...	10	852	...	...	...	...	...
Honorary Magistrates: 2nd and 3rd class	...	...	...	...	205	206	16	...	310	2,378	1	30	...	1	...
Honorary Magistrates: 1st class ...	...	...	...	...	122	91	11	...	112	932	10	11	28	50	57
Benches of Magistrates	...	...	...	...	104	209	24	...	152	7,363	...	21	...	...	...
Stipendiary Magistrates other than Chief Magistrates of Districts ... 2nd and 3rd class	...	...	...	...	2,389	2,080	286	1	3,458	21,201	14	406	...	...	...
Stipendiary Magistrates other than Chief Magistrates of Districts ... 1st class ...	...	...	...	...	4,510	1,871	376	1	4,588	10,120	188	685	2,500	1,336	2,845
District & Divisional Magistrates—Cases referred under Sec. 349, Criminal Procedure Code	...	...	...	...	264	36	2	...	202	21	12	21	20	3	3
Chief Magistrates of ... Districts ... Under their ordinary powers	...	...	...	...	256	259	26	...	246	1,676	15	93	203	100	331
Chief Magistrates of ... Districts ... Under their powers under Sec. 34, Criminal Procedure Code ...	...	...	...	...	504	60	12	...	370	6	25	23	...	...	...
Total ...	...	...	...	...	8,354	4,809	776	2	9,398	44,549	265	1,290	2,836	1,400	3,234
II.—Courts of Session. Original trials ...	373	130	45	2	149	35	1	1	67	9	...	2	...	...	...
Courts of Session. References under Sec. 34 Criminal P. Code ...	288	...	28	...	243	9	...	...	126	8	13	...	...	...	...
Courts of Session. Other References ...	44	...	...	...	...	...	...	...	...	2	...	...	...	...	42
Total ...	705	130	73	2	392	44	1	1	193	19	13	2	...	...	42
III.—Chief Court ... Original trials ...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Chief Court ... References under Sec. 374, Criminal P. C. ...	50	13	...	...	2	...	...	...	...	...	...	...	...	...	...
Total ...	51	13	...	...	2	...	...	...	...	...	...	...	...	...	...
Grand Total ...	756	143	73	2	8,748	4,913	777	3	9,561	44,568	278	1,292	2,836	1,400	3,276

No. 5.

CRIMINAL TRIBUNALS IN THE PUNJAB DURING THE YEAR 1884.

Persons imprisoned in default of furnishing security for good behaviour.		DETAIL OF PUNISHMENT.																			
		FINE.										IMPRISONMENT.									
												15 days and under.		6 months and under.		2 years and under.		Above 2 years.		Above 7 years.	
Rigorous.	Simple.	Rs. 10 and under.	Rs. 50 and under.	Rs. 100 and under.	Rs. 500 and under.	Rs. 1,000 and under.	Above Rs. 1,000.	Total amount of fines imposed.	Total amount realized.	Amount ordered by way of compensation.	Amount paid by way of compensation.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.
17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	34	35	36	37
...	...	832	30	...	...	...	...	3,263	3,082	189	188	39	18	18	5	...	...	...	...	...	...
...	...	2,379	296	12	1	...	...	18,849	14,222	2,542	1,992	70	13	341	3	...	...	...	...	...	...
6	3	882	150	8	4	...	...	7,754	6,585	1,050	1,019	10	7	86	7	123	...	...	...	...	...
...	...	7,336	152	26	1	...	...	12,904	11,376	607	443	88	13	223	11	2	...	...	...	...	...
...	...	21,400	3,143	108	16	...	...	148,008	132,762	16,221	10.234	619	189	3,853	97	2	...	...	...	...	...
434	29	10,129	3,977	425	112	7	...	205,482	145,324	36,036	15,670	287	142	3,079	238	3,392	25	8	...	...	...
1	...	89	124	7	4	...	...	5,648	3,093	504	105	3	2	54	...	242	...	3	...	...	...
54	3	872	725	169	148	7	...	71,852	60,117	44,245	21,041	59	8	246	14	257	7	7	...	...	...
...	...	52	275	34	14	1	...	16,515	8,675	3,374	982	...	1	51	11	172	...	340	...	...	...
495	35	43,971	8,872	789	300	15	...	490,275	385,186	104,768	51,674	1,175	393	7,951	386	4,190	32	358	...	...	...
...	...	3	25	13	5	...	...	3,110	2,475	180	350	...	1	41	...	33	...	93	...	17	...
...	...	5	89	25	11	4	...	11,677	3,512	1,065	921	...	...	16	...	8	...	226	...	2	...
42	...	...	...	1	...	1	...	700	793	700	700	...	...	...	...	6	...	36	...	...	...
42	...	8	114	39	16	5	...	15,487	6,780	1,945	1,971	...	1	57	...	47	...	355	...	19	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
537	35	43,979	18,986	828	316	20	...	505,762	391,966	106,713	53,645	1,175	394	8,008	386	4,237	32	713	...	19	...

STATEMENT No. 5 A.

STATEMENT SHOWING THE PARTICULARS OF WHIPPINGS INFLICTED BY THE CRIMINAL TRIBUNALS OF THE PUNJAB DURING THE YEAR 1884.

OFFENCES FOR WHICH AWARDED.	Number of Stripes awarded.														Remarks.
	5 *and under.*		6 *to* 10.		11 *to* 15.		16 *to* 20.		21 *to* 25.		26 *to* 30.		*Total.*		
	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	Adults.	Juveniles.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Part I.															
Showing whippings inflicted under Sections 2 and 3, Act VI of 1864, in lieu of other punishment.															
1. Theft, as defined in — Section 378, I. P. C. ...	49	...	198	6	208	8	103	4	49	2	78	6	615	96	
1. Theft, as defined in — " 380, " ...	3	...	28	...	33	...	41	1	13	...	13	...	107	25	
1. Theft, as defined in — " 381, " ...	1	...	14	...	13	...	10	...	14	...	10	...	59	3	
1. Theft, as defined in — " 382, " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
2. Extortion, as defined in — " 388, " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
2. Extortion, as defined in — " 389, " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
3. Dishonestly receiving stolen property, as defined in — " 411, " ...	5	...	18	2	34	...	31	2	11	...	28	2	122	11	
3. Dishonestly receiving stolen property, as defined in — " 412, " ...	...	...	...	...	1	...	...	...	...	...	...	...	...	1	
4. Lurking house-trespass, as defined in — " 443, " ...	...	...	5	...	1	...	...	...	2	...	2	...	8	2	

5. Lurking house-trespass, by night, as defined in	Section 444, I. P. C. ...	1	...	9	...	7	...	7	...	6	...	4	...	30	4
6. House-breaking, as defined in	" 445, " ...	1	...	13	3	11	...	5	...	5	...	2	2	28	14
7. House-breaking by night, as defined in	" 446, " ...	1	...	6	...	23	1	19	...	16	1	16	...	69	14
8. Offence under Section	49, Act XXVI of 1870 ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
9. Offence under Section	19, Act XXVII of 1871 ...	...	...	...	...	5	...	7	...	...	...	5	1	17	1
10. Offence under Section	14, Act III of 1880 ...	...	...	...	...	...	...	1	...	...	...	1	...	2	...
11. Offence under Section	304, I. P. C. ...	...	...	...	...	...	...	...	...	...	...	1	...	1	...
	Total ...	61	...	291	11	336	9	224	7	116	3	160	11	1,058	171

PART II.

Showing whippings inflicted in addition to other punishments, Sections 3 and 4, Act VI of 1864.

A.—SECTION 3.

1. Theft, as defined in	Section 378, I. P. C. ...	...	13	26	34	14	54	141
	" 380, " ...	...	...	3	3	1	7	14
	" 381, " ...	...	1	4	2	...	1	8
	" 382, " ...	...	...	...	...	1	...	1
2. Extortion, as defined in	" 388, " ...	...	...	...	...	...	...	...
	" 389, " ...	...	...	...	...	...	...	...
3. Dishonestly receiving stolen property, as defined in	" 411, " ...	1	1	5	3	2	13	25
	" 412, " ...	...	...	...	...	...	...	...
4. Lurking house-trespass, as defined in Section 443, I. P. C. ...		...	...	...	...	...	...	...
5. Lurking house-trespass by night, as defined in Section 444, I. P. C. ...		1	1	...	2	...	2	6
6. House-breaking, as defined in Section 445, I.P.C.		...	...	3	...	...	3	6
7. House-breaking by night, as defined in Section 446, I. P. C. ...		...	1	3	6	2	20	32
8. Offence under Section 19, Act XXVII of 1871 ...		...	3	8	7	...	4	22

No. 5 A.—*continued.*

OFFENCES FOR WHICH AWARDED.	Number of stripes. 5 *and under.* First conviction.	5 *and under.* Second or Subsequent conviction.	6 *to* 10. First conviction.	6 *to* 10. Second or Subsequent conviction.	11 *to* 15. First conviction.	11 *to* 15. Second or Subsequent conviction.	16 *to* 20. First conviction.	16 *to* 20. Second or Subsequent conviction.	21 *to* 25. First conviction.	21 *to* 25. Second or Subsequent conviction.	26 *to* 30. First conviction.	26 *to* 30. Second or Subsequent conviction.	Total.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Part II.—*concluded.*														
9. Offence under Section 14, Act III of 1880 ...	...		...		...		...		...		...		...	
B.—Section 4.														
1. False evidence, as defined in Section 193, I. P. C. ...	...		...		...		...		...		...		...	
1. False evidence, as defined in " 194, " ...	...		...		...		...		...		...		...	
1. False evidence, as defined in " 195, " ...	...		...		...		...		...		...		...	
2. False charge of unnatural offence, as defined in Section 211 and 377, I. P. C. ...	...		...		...		...		...		...		...	
3. Assault, as defined in Section 354, I. P. C. ...	...		...		...		...		...		...		...	
4. Rape, as defined in Section 375, I. P. C. ...	...		...		...		...		...		...		...	
5. Unnatural offence, as defined in Section 377, I.P.C.	...		...		...		...		...		1		1	
6. Robbery, as defined in Section 390, I. P. C. ...	...		...		...		...		...		...		...	
7. Dacoity, as defined in Section 391, I. P. C. ...	...		...		...		...		...		...		...	
8. Attempt at robbery, as defined in Section 393, I.P.C.	...		...		...		...		...		...		...	

9. Hurt in committing robbery, as defined in Section 394, I. P. C. ...	...	...	...	...	...	...	...
10. Receiving stolen property, as defined in Section 413, I. P. C. ...	...	...	1	...	...	...	1
11. Forgery, as defined in — Section 463, I. P. C. ...	...	...	...	...	...	...	...
11. Forgery, as defined in — „ 466, „ ...	...	...	...	...	...	...	...
11. Forgery, as defined in — „ 467, „ ...	...	...	...	...	...	...	...
11. Forgery, as defined in — „ 468, „ ...	...	...	...	...	...	...	...
11. Forgery, as defined in — „ 469, „ ...	...	...	...	...	...	...	...
12. Lurking house-trespass, as defined in Section 443, I. P. C. ...	...	...	...	...	...	1	1
13. Lurking house-trespass by night, as defined in Section 444, I. P. C. ...	...	...	...	...	...	...	...
14. House-breaking, as defined in Section 445, I. P. C.	...	...	...	1	...	1	2
15. House-breaking, by night, as defined in Section 446, I. P. C. ...	...	...	4	1	1	11	17
Total ...	2	20	57	59	21	118	277

NOTE.—Include Juveniles punished under any of these heads.

No. 5 A.—*concluded.*

Offence.	Stripes. 5 *and under.* First conviction.	5 *and under.* Subsequent conviction.	6 *to* 10. First conviction.	6 *to* 10. Subsequent conviction.	11 *to* 15. First conviction.	11 *to* 15. Subsequent conviction.	16 *to* 20. First conviction.	16 *to* 20. Subsequent conviction.	21 *to* 25. First conviction.	21 *to* 25. Subsequent conviction.	26 *to* 30. First conviction.	26 *to* 30. Subsequent conviction.	Total.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	
Part III.—*Showing whippings inflicted, under Section 5, Act VI, of 1864, on juveniles for offences other than those specified in Parts I and II.*														
Section 323 I. P. C.	...	...	...	...	...	...	...	...	1	...	...	...	1	
" 352 "	...	...	1	...	...	...	...	...	...	...	...	...	1	
" 354 "	...	...	...	...	1	...	...	...	...	...	...	...	1	
" 369 "	...	...	...	...	...	...	1	...	...	...	1	...	2	
" 376 "	...	...	...	...	...	...	...	...	...	...	3	...	3	
" 377 "	...	...	...	...	6	...	2	...	...	...	5	...	13	
" 378 "	2	...	3	...	18	...	8	...	...	...	1	...	32	
" 403 "	...	...	...	...	1	...	...	...	...	...	...	...	1	
" 420 "	...	...	...	...	1	...	...	...	...	...	...	...	1	
" 435 "	...	...	...	...	...	...	...	...	2	...	...	...	2	
" 456 & 511 "	...	...	...	...	3	...	...	...	...	...	...	...	3	
" 504 "	...	...	3	...	...	...	...	...	...	...	...	...	3	
Total ...	2	...	7	...	30	...	12	...	3	...	10	...	64	

Part IV.—*Showing relative number of times whipping was awarded as compared with other punishments.*

Total number of whippings awarded	1,570
Total number of other punishments in cases in which whipping might have been legally inflicted	11,519
Percentage of whipping ...	12

STATEMENT No. 6.

STATEMENT SHOWING THE RESULT OF APPEAL AND REVISION IN CRIMINAL CASES IN THE PUNJAB DURING THE YEAR 1884.

Tribunals.	Number of persons.											Average number of days during which each appeal lasted.
	Total number of appellants and applicants for revision before the courts.	Died, escaped, or transferred.	Appeals or applications rejected.	Sentence or order confirmed after hearing.	Sentence enhanced.	Sentence reduced or otherwise altered.	Sentence or order reversed.	Proceedings quashed.	New trial or commitment ordered.	Referred for revision to the Chief Court.	Pending trial.	
1	2	3	4	5	6	7	8	9	10	11	12	13
APPEALS.												
To—												
District Magistrates	6,465	...	1,743	2,293	...	687	1,427	3	174	...	138	9
Courts of Session	5,055	1	2,156	1,259	3	489	951	2	17	...	177	19
Chief Court { By persons convicted	696	20	227	217	...	79	62	...	12	...	79	42
Chief Court { By Government from judgments of acquittal ...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	12,216	21	4,126	3,769	3	1,255	2,440	5	203	...	394	15
REVISION.												
By—												
District Magistrates	429	...	595	...	...	...	...	...	105	63	22	...
Courts of Session	298	...	307	...	...	...	...	...	18	30	14	...
Chief Court	3,219	45	1,872	329	39	232	316	...	131	...	255	...
Total ...	3,946	45	2,774	329	39	232	316	...	254	93	291	...
Grand Total ...	16,162	66	6,900	4,098	42	1,487	2,756	5	457	93	685	...

STATEMENT No.

STATEMENT SHOWING USE OF JURIES AND ASSESSORS IN THE CRIMINAL COURTS OF THE PUNJAB IN THE YEAR 1884.

Classes of Courts.	Established or average number of Jury or Assessors in each case.	Number of cases tried by jury.	Number of cases tried by Assessors.	Jury trials.					Assessors trials.				Classes of cases in which Jurors and Assessors have been principally employed.
				Cases in which the Judge approved of the verdict.	*Cases in which the Judge did not approve of the verdict.*		*Number of persons of the verdict in respect to whom the Judge disapproved.*		Number of cases in which the Judge agreed with the Assessors.	*Number of cases in which the Judge differed from*			
					Wholly.	Partially.	Whose cases he referred under Sec. 307, Cr. P. C.	Whose cases he did not refer under Sec. 307, Cr. P. C.		One Assessor.	Two Assessors.	Three Assessors.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Magistrate's Courts under Chapter X, Criminal Procedure Code—Jurors	...	...	...	...	...	...	...	...	...	...	...	...	...
Courts of Session—Assessors	3	...	333	...	...	...	...	...	299	10	7	17	Sessions trials.
Chief Court, Original Criminal Jurisdiction—Jurors ...	9	3	...	3	...	...	...	...	...	...	...	...	Original trials.
Total	12	3	333	3	...	...	...	...	299	10	7	17	

STATEMENT No. 8.

STATEMENT

STATEMENT SHOWING THE GENERAL RESULT OF THE TRIAL OF

Description of Offence.	Number of persons accused and brought before a Magistrate.						Died, escaped, or transferred to other Provinces.	Number actually brought to trial.	Persons whose cases were dis-												
		Within the year.							By District Magistrates and other 1st Class Magistrates.							By Court of Session.				
												Committed.								
	Remaining at the close of the previous year.	On complaint, Sec. 191 (a), Criminal Procedure Code.	On Police Report, Sec. 191 (b) of the Code.	By Magistrate *suo motu*. Sec. 191 (c) of the Code.	On transfer from another Province.	Total.			Received by transfer under Sec. 451 B of the Code.	Convicted.	Acquitted or discharged.	To Court of Session.	To High Court.	Transferred, by order under Sec. 451 B of the Code.	Total omitting entries in cols. 10 and 15.	Received by transfer under Sec. 451 B of the Code.	Convicted.	Acquitted or discharged.	Transferred to High Court under Sec. 449 of the Code.	Total exclusive of col. 17.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Contempts of the lawful authority of public servants, Chapter X. ...	...	1	...	...	...	1	...	1	...	1	...	...	...	...	1	...	...	...	...	...
Offences affecting the public health, safety, convenience, decency and morals, Chap. XIV	...	3	...	...	...	3	...	3	...	1	2	...	...	...	3	...	...	...	...	...
Offences affecting the human body, Chapter XVI.																				
Offences affecting life ...	2	...	2	...	...	4	...	4	...	...	...	...	1	...	1	...	...	...	...	...
Causing of miscarriage; injuries to unborne children; exposure of infants, and the concealment of births	...	...	1	...	...	1	...	1	...	1	...	...	...	...	1	...	...	...	...	...
Hurt	...	8	4	...	...	12	...	12	...	5	7	...	...	...	12	...	...	...	...	...
Criminal force and assault ...	4	26	1	...	...	31	...	31	...	13	18	...	...	...	31	...	...	...	...	...
Rape	...	1	...	...	...	1	...	1	...	...	...	...	...	...	...	...	...	1	...	1
Offences against property Chapter XVII.																				
Theft	...	4	1	...	...	5	...	5	...	1	...	2	...	...	3	...	2	...	...	2
Criminal misappropriation of property	...	1	...	...	...	1	...	1	...	1	...	...	...	...	1	...	...	...	...	...
Mischief	...	...	3	...	...	3	...	3	...	3	...	...	...	...	3	...	...	...	...	...
Criminal trespass ...	...	1	1	...	...	2	...	2	...	...	2	...	...	...	2	...	...	...	...	...
Offences relating to marriage, Chapter XX	...	3	...	...	...	3	...	3	...	...	3	...	...	...	3	...	...	...	...	...
Defamation, Chapter XXI ...	...	1	...	...	...	1	...	1	...	...	1	...	...	...	1	...	...	...	...	...
Criminal intimidation, insult and annoyance, Chapter XXII ...	...	3	...	...	...	3	...	3	...	1	2	...	...	...	3	...	...	...	...	...
Offences under Special and Local Laws	...	18	7	3	...	28	...	28	...	15	13	...	...	...	28	...	...	...	...	...
Total ...	6	70	21	3	...	98	...	98	...	42	48	2	1	...	93	...	2	1	...	3

No. 8.

EUROPEAN BRITISH SUBJECTS IN THE PUNJAB DURING THE YEAR 1884.

POSED OF.							NUMBER OF CASES.					
By High Court			Total for all Courts.									
Convicted.	Acquitted.	Total.	Convicted.	Acquitted or discharged.	Total.	Number of persons under trial at the close of the year.	Brought to trial.	Disposed of.	Pending.	Number of persons who applied to the High Court for an order under Sec. 456 of the Code.	Of those entered in Col. 5 who applied under Sec. 2, Act III of 1884, for transfer or committal of their cases.	Number of persons who applied to the High Court under Sec. 526 of the Code for the transfer of their cases.
22	23	24	25	26	27	28	29	30	31	32	33	34
...	...	...	1	...	1	...	1	1	...	...	...	...
...	...	...	1	2	3	...	3	3	...	...	...	...
2	1	3	2	1	3	...	4	4	...	...	...	...
...	...	...	1	...	1	...	1	1	...	...	...	...
...	...	...	5	7	12	...	10	10	...	...	...	...
...	...	...	13	18	31	...	27	27	...	...	...	...
...	...	...	...	1	1	...	1	1	...	...	...	...
...	...	...	3	...	3	...	3	3	...	...	...	...
...	...	...	1	...	1	...	1	1	...	...	...	...
...	...	...	3	...	3	...	1	1	...	...	...	...
...	...	...	...	2	2	...	2	2	...	...	...	...
...	...	...	...	3	3	...	3	3	...	...	...	...
...	...	...	...	1	1	...	1	1	...	...	...	...
...	...	...	1	2	3	...	3	3	...	...	...	...
...	...	...	15	13	28	...	27	27	...	...	...	...
2	1	3	45	49	94	...	88	88	...	...	...	...

SUBSIDIARY TABLE.

35							36			
OF THE TOTAL NUMBER OF PERSONS SHEWN IN							OF CASES SHEWN IN COLUMN 30.			
Column 16.			Column 21.		Column 21 and 24.		Disposed of by Magistrates.		Disposed of by Sessions Judges.	
Number who claimed to be tried by a mixed jury, Sec. 451 A (1) of the Code.	Number who did not so claim.	Number of those in Col. 35 (1) whose cases were transferred under Sec. 451 B of the Code.	Number who claimed a mixed number of assessors, Sec. 451 (2) of the Code.	Number who did not so claim.	Number who claimed to be tried by a mixed jury, Sec. 451 (1) of the Code.	Number who did not so claim.	Being European British subjects.	Other than European British subjects.	Being European British subjects.	Other than European British subjects.
1	2	3	4	5	6	7	8	9	10	11
...	67	...	...	...	...	4	79	14	2	...

APPENDIX TO THE CRIMINAL REPORT

1884.

EXTRACTS FROM DIVISIONAL AND DISTRICT REPORTS.

Extracts from the Annual Criminal Reports of Sessions Judges and District Magistrates.

SUBJECT 1.—*General review of offences committed and brought to trial.*

SESSIONS JUDGE OF AMRITSAR.

(MR. ROBERTS).

There is no remarkable variation in the number of cases reported in either District but the percentage of cases brought to trial is much lower both in Amritsar and Gurdaspur than in 1883. This however probably results, as Colonel Harcourt has remarked, from the large number of complaints rejected under Section 203, and therefore classed as miscellaneous proceedings, and indicates greater care on the part of Magistrates in scrutinizing complaints before issuing a summons.

The number of cases struck off by the Magistrates is very small in the Amritsar District, and I am inclined to think that the necessity of sending up an English report sometimes deters Police Officers from making applications as frequently as they might do, but it is better to err in this direction than in the opposite one of striking off cases with little discrimination.

DISTRICT MAGISTRATE OF GURDASPUR.

(COL. HARCOURT).

The decrease is also due to the fact that the attention of the Lower Courts was drawn to the provisions of Section 202, Criminal Procedure Code, which clearly lays down that when Magistrates see reason to distrust the truth of complaint, the issue of process for compelling the attendance of the person complained against should be postponed. The result was that 3,505 baseless and fictitious cases were *primâ facie* dismissed.

SESSIONS JUDGE OF LAHORE.

(MR. BADEN POWELL).

The Deputy Commissioner, Lahore, rightly observes that petty and frivolous complaints are constantly on the increase, because the dismissal of such a case entails no further punishment on the complainant than the loss of an eight annas stamp. This is a defect in the law which calls for a remedy.

DISTRICT MAGISTRATE, LAHORE.

(MR. CLARK).

Of the complaints disposed of summarily, 953, or 46 per cent, were rejected after reference to the Police, against 1015 referred in the preceding year. This ratio is higher than the Provincial ratio in 1883 which was 39 per cent only.

If after a close examination of the complainant a Magistrate is not satisfied that the complaint is false, but sees good reason to distrust the truth of the complaint, a reference to the Police causes less annoyance to the accused than summoning him a long distance to Court; and a local investigation in a petty case is more likely to reveal the truth than a trial at a distant Court.

The number of complaints is so great that the Courts have not time to sift carefully enough complaints which are *primâ facie* not *bonâ fide*. Indiscriminate reference of cases to

the Police is very undesirable, but if the Court honestly enquires into the truth of the complaint and dismisses it, if it thinks it false, and if it cannot make up its mind that it is false, and yet distrusts its truth, directs a local enquiry by the Police, I think this procedure is more likely to result in a just decision of the case, with less annoyance to the accused, than if a summons were issued on the accused. The constantly increasing number of petty and frivolous complaints, which can but be *dismissed*, thus entailing no further punishment on the complainant than the loss of the Court-fee stamp (usually eight annas) affixed by him on his petition, is a consequence of a defect in the law which does not empower Magistrates to do aught else than reject such petitions, and therefore calls for some remedy. It is only in cases in which a complainant succeeds in obtaining a summons or a warrant issued against an accused person,* and in which it is then proved that the complaint is frivolous, or false and malicious, that the complainant can be touched. It is also much to be regretted that compensation can only be awarded in summons cases. In theory it may be right that compensation is an insufficient penalty for a false warrant case, and that such cases should be criminally disposed of, but in practice this is not done. Certain, though light, punishment is a more effective deterrent than severe but rare punishment.

* This is a mistake—See Section 211, Indian Penal Code.

SESSIONS JUDGE OF JHELUM.

(Mr. FRIZELLE).

In Shahpur there was a marked decrease under head "Thefts;" and the Deputy Commissioner has very properly remarked that this indicates a diminution of confidence on the part of the people in the efficacy of our criminal administration; "for," he says, " not a quarter of the cases that actually occur, are reported, and only those cases are reported in which the injured person thinks that the Police or the Magistrate can help him to recover the stolen property." Only 187 theft cases reported are certainly a ridiculously small number for a District like Shahpur.

On this subject the Deputy Commissioner, Gujrat, also remarks that his statistics seem to show that the people prefer applying to a Magistrate to adopting the usual procedure of complaining to the Police, " a state of affairs which seems to suggest that complaints made to the Police do not receive proper attention." The Deputy Commissioner intends enquiring further into the matter when he receives the Police Returns.

Subject 2.—*Offences classified : Offences under the Indian Penal Code.*

DISTRICT MAGISTRATE, JULLUNDUR.

(Capt. MASSY).

It will be noticed that there has been an increase in hurt cases resulting from the classification laid down in Chief Court Book Circular XVI of 18th December 1883. Under this Circular many offences, which used to be treated as mere assaults, have been lodged and decided as cases of hurt. It is plainly to the advantage of the complainant to bring a charge under Section 323 in preference to Section 352; as by complaining under the former Section, he is secure from the risk of being ordered to pay compensation for bringing a frivolous charge. The Petition-writers are gradually becoming aware of this safeguard, and no doubt before long assaults under Section 352 will disappear altogether from the catalogue of offences.

SESSIONS JUDGE, AMRITSAR.

(Mr. ROBERTS.)

The agricultural condition of a district, and the prices of bread stuffs no doubt affect offences against property generally, and the decrease in Amritsar during 1884 is perhaps

rightly attributed to this cause; but it is remarkable that in Gurdaspur, where the harvests were, presumably, just as good, there was a slight increase in thefts and burglaries. On the other hand, I am not prepared to admit that people are more addicted to assault and hurt when they are in prosperous circumstances, and the increase of such cases in Amritsar, is accompanied by a very large decrease in Gurdaspur. The difference is probably owing to the different degrees in which the provisions of Section 203, Criminal Procedure Code, have been invoked in the two Districts. In Gurdaspur no less than 1,259 cases, out of 2,554, were rejected without issue of summons; while a large number of persons were fined for bringing frivolous and vexatious complaints.

DISTRICT MAGISTRATE, DERA ISMAIL KHAN.

(Mr. THORBURN).

Offences relating to marriage.—In 1882 there were 32 such; in 1883, 48; and in 1884, only 34. Thus my anticipations of a steady rise in the number of this class of offence has not been realised, but as I expected, the percentage of convictions continues to fall. Only 30 % against 33 % in 1883 of cases tried resulted in a conviction. One reason why the number of cases has not risen is that I have persistently throughout the year endeavoured to keep such cases out of Court, either by sending for the parties and arranging terms for them, or by inducing them to settle their differences by amicable arbitration. Each complainant too, when a Jat, or from Cis-Indus, has been searchingly questioned, and whenever possible his complaint has been dismissed. The disposal of cases relating to marriage is one of the most delicate duties of a Frontier District Officer, so radically opposite are popular and British notions on the position of women. As the District is overrun with Hill women, Pawindah, Mahsud, and Shirani, chiefly in the cold weather, and such women soon understand what their rights are, each case has to be settled in the most satisfactory way possible. Trial under the Penal Code is seldom suitable for hill Pathans, and as frequently no "offence" has occurred, *e.g.* when a brother claims his deceased brother's wife, or a father the right to dispose of a daughter of full age who already has a lover, and knows her rights, such cases are largely disposed of as miscellaneous political cases.

SESSIONS JUDGE, PESHAWAR.

(Mr. BENTON).

The general opinion appears to be that our administration as regards the repression of capital offences is not so successful as it might be (even taking into account the characteristics of the population), and that the present means at our disposal for coping with them are inadequate. Among proposals in this direction which appear admissible, I would mention one to permit fines imposed by the Jirgah to be realized by means of imprisonment with certain safeguards. If compensation under the Jirgah system were more certain, there would be less incentive to have recourse to private redress.

Violent crimes, riots resulting in murder, are often committed in open day in and about villages, and yet the cases come up to the Magistrate without a single witness on whose evidence any reliance can be placed. It suits neither party to tell the whole truth, and there appears to be no people in the world more ready to supply the place of fact with fiction, while any people in the village, who are not sworn partizans of either side, are deterred from coming forward by the well known consequences. It appears to me that in a great many places faction has succeeded in almost completely ousting the supporters of law and order, and that we require to enlist men of influence on the spot, whose interest it would be to prevent and repress disturbances in anticipation, and to bring crime to light when it occurred on pain of losing offices of some profit. This would entail considerable expense, and it would require much consideration and full local experience to arrange the details and make them fit in with existing institutions.

DISTRICT MAGISTRATE, PESHAWAR.

(Mr. TUCKER).

Offences affecting human life show an increase of 186 on the figures of 1883. The most noticeable increase is in cases of hurt (81) and of criminal force or assault (117). Ninety cases of murder were reported in 1884 against 77 in 1883, an increase of 13.

In the year under report two cases of murder of informers occurred. Such cases have never happened before. In one case a man gave information that an outlaw was being harboured at a certain house. On this the Police captured the outlaw, but the informer was murdered by one of the outlaw's relations. In the other case certain bad characters of the Peshawar city, intended committing a robbery. One of their gang betrayed their intentions, and their designs were frustrated by the Police being thus put on the alert. These bad characters were *chalaned* by the Police and their names were entered in the register of bad characters. The informer was eventually killed.

SUBJECT 3.—*Offences classified : Offences under Local and Special Laws.*

DISTRICT MAGISTRATE, MONTGOMERY.

(MR. GLADSTONE).

There were 291 cases under the Forest Act against 202 in 1883 and 157 in 1882. Many of these are owing to increased severity in working Forest Rules. The Forest Reserves were so demarcated as to cause considerable hardship to the people, who have been fined far beyond their means, not only in Court, but out of Court. They have, I fear, suffered much. Many have left the District under the enforcement of the Forest Law. I fear that the Forest Law has not always been administered judiciously by the Magistrates who tried the cases, and that in awarding punishments the difficulties the people have in keeping their cattle out of unfenced Reserves has not been taken into consideration any more than their capacity to bear the fines imposed on them.

SUBJECT 4.—*Offences classified—Miscellaneous proceedings under the Criminal Procedure Code.*

DISTRICT MAGISTRATE, MUZAFFARGARH.

(MR. J. C. BROWN).

Security for good behaviour.—A judgment of the Chief Court passed in the end of 1883, pointed out that the Act now in force narrowed considerably the circle within which the preventive sections of the Criminal Law under this head applied. Magistrates consequently worked with considerable caution in taking security * * * * * The instructions I gave were to endeavour to catch the heads of gangs and men of real influence and put them on heavy security for long periods, and not spend time in dealing with wretched village sweepers and menials who are mere tools. This will naturally reduce the number of men tried, but I am confident it is the most effectual mode of working the Law. I have myself disposed of bad livelihood cases in one tahsil, and thereby got some insight into the criminal atmosphere. This, I think, every Deputy Commissioner should seek to obtain for himself.

SESSIONS JUDGE, PESHAWAR.

(MR. BENTON).

Frivolous and vexatious complaints.—In Hazara, however, 27 vexatious complainants are punished, while in Peshawar and Kohat there are only 3 and 2 respectively. It is pretty certain that more action under this provision of the law might and could have been taken in these Districts with advantage, judging from the fact that in Peshawar no less than 266 cases were struck off on the application of the Police. Of course the provision does not apply to these cases, or but very sparingly. I have always thought that it was to be regretted that Section 250 of the Criminal Procedure Code is confined to summons cases. The intention no doubt is that false complaints in warrant cases should be visited with severe punishment, but the result is that they generally go without punishment altogether.

SUBJECT 5.—*General results of trials and inquiries.*

DISTRICT MAGISTRATE, GURDASPUR.

(COL. HARCOURT.)

I regret to notice that the percentage of convictions was still small. In my opinion this is due to the fact that the preliminary examination of the complainant is too often of a merely formal and perfunctory character. I issued orders with a view to a more careful enquiry than is at present usual being made previous to the issue of process for the attendance of the persons complained against in both summon and warrant cases.

SESSIONS JUDGE, MOOLTAN DIVISION.

(MR. ROE).

As pointed out by the Deputy Commissioner, the small percentage of persons convicted in Jhang shows that the old fault of issuing summonses without properly examining the complainant, still flourishes there. It is to be hoped that the Deputy Commissioner's remarks will check it in future.

SESSIONS JUDGE, DERAJAT DIVISION.

(COL. GURDON.)

In Dera Ismail Khan greater care is apparently bestowed in striking off the registers false cases, 44 per cent. of the reported offences having been so struck off, and hence the percentage of discharges and acquittals is very low; in Dera Ghazi Khan, where however little pains are evidently taken in discriminating between the true and false reports, the number of discharges is four times as many. In Bannu the acquittals are clearly very high, and show that charge-sheets are framed by Magistrates without sufficient regard to the *primâ facie* evidence produced in support of the charges.

SUBJECT 8.—*Frontier Rules.*

SESSIONS JUDGE, DERAJAT DIVISION.

(COL. GURDON.)

The large number of convictions during the previous year in Dera Ismail Khan was commented on by the Chief Court and Government in the Provincial Report for 1883. The Deputy Commisssioner now explains the reasons at some length; he states that "except when morally convinced of the accused's guilt and satisfied that the evidence or reasonable presumption of guilt is sufficient to obtain conviction by an independent Jirga" he does not refer a case for trial; besides an official is frequently appointed as a reader to the Jirga, and now and then on exceptional occasions one or more members are nominated by him. The principles adopted seem good.

The large percentage of discharges and acquittals by Jirgas in the Bannu district is explained as due to the release of the accused on taking an oath as to his innocence, and thus satisfying his complainant. The system of trial by Jirga continues very popular and useful in cases where evidence is not strong enough for a conviction before a regular Court of Law: not only is it efficacious in deterring wrong-doers, but it also prevents the aggrieved person from resorting to retaliation.

DISTRICT MAGISTRATE, DERA ISMAIL KHAN.

(MR. THORBURN.)

In 1883, all persons tried were convicted. My rule is to submit no case to a Jirga, without first having gone through the file myself and ascertained what the evidence is.

Except when morally convinced of the accused's guilt, and satisfied that the evidence or reasonable presumption of guilt is sufficient to obtain conviction by an independent Jirga, I do not refer a case for trial. In most cases I frame issues or point out in a short proceeding what the salient features in the case are. I frequently appoint an official as a reader to the Jirga, and rarely, on exceptional occasions, nominate one or more of the members. Under this system trial by Jirga means a real trial on the merits, continues very popular, and is more efficacious for deterring wrong-doers than the taking of heavy security.

DISTRICT MAGISTRATE, DERA GHAZI KHAN.

(Mr. R. CLARKE).

As the Regulation now stands a Jirga fine can only be recovered by attachment of moveable property. Therefore it requires the careful personal attention of the Magistrate of the District to secure the realization of such fines. It is obviously not of any benefit to inflict a fine if the idea gets abroad that its realization is impracticable, or at all events extremely *difficult*. Thus high percentage of realizations represents very careful and strict supervision on the part of the Deputy Commissioner, and is the true standard of his ability to work Regulation IV of 1873, Section 2, properly. I would remark that it could only really be effectively acted upon, when imprisonment can also be awarded, as in Sinde in Bombay Regulation II of 1884 (*vide* Gazette of India, Part I of 26th April 1884, page 162).

DISTRICT MAGISTRATE, HAZARA.

(Mr. FRYER.)

The great increase in cases referred to a Council of Elders is due to the large number of cases of mischief made over to the Councils. I tried to put down this form of crime by exemplary magisterial punishments, but I found it difficult to get evidence to satisfy myself in such cases, and still more difficult to obtain evidence which would satisfy the Court of Session. I therefore sent all cases, in which it was doubtful whether sufficient proof was forthcoming, to Councils of Elders. Out of 95 persons tried by Councils of Elders only 22 were acquitted, and the crimes of rick-burning and cattle-poisoning are no longer attended with comparative immunity in this District. The result is sure to be good, and the people tell me that the crime has much diminished. Formerly many cases were not reported at all, as the sufferers know that it was hopeless to try and prove who had caused the damage they had suffered. All cases of mischief are gone over by myself before they are made over to the Council of Elders, and none are made over in which the accused appears to be *primâ facie* innocent.

Subject 12.—*Examination of complainants and preliminary investigation by police, Sections 200 and 202, Criminal Procedure Code.*

SESSIONS JUDGE, AMRITSAR DIVISION.

(Mr. ROBERTS.)

The District Officers report that increased attention is paid to the provisions of Sections 200 and 202; and the returns of Gurdaspur in particular indicate this; but from cases which have come before me in appeal, I find that native Magistrates invariably fail to record their reasons for distrusting the truth of a complaint before proceeding under Section 202, and Colonel Harcourt notices the same point.

DISTRICT MAGISTRATE, GUJRAT.

Mr. RIVAZ.)

The reception of a complaint is invariably followed by the examination of the complainant, and the large number of petty complaints which were rejected last year without

the issue of a process against the persons charged, shows that this examination is not altogether ineffectual. Regarding the reference of complaints to the Police for preliminary investigation, it appears to me, judging from the returns, that too many references were made in cases of hurt, wrongful restraint, and above all minor cases of criminal trespass. I have called the attention of my Subordinate Magistrates to the point.

SUBJECT 13.—*Recording of evidence and of examination and confession of accused persons, Chapter XXV, Criminal Procedure Code.*

SESSIONS JUDGE, MOOLTAN DIVISION.

(MR. ROE.)

All the Deputy Commissioners report that the record is properly kept. I believe this to be the case. But, as recently pointed out in the Chief Court circular, I find the plea often raised in appeal that accused's witnesses have not been summoned. There is often nothing to show whether accused was asked whether he had any witnesses or not, and as in one or two cases which have been before me, the Magistrate has refused on quite inadequate grounds to summon accused's witnesses, I fear this complaint is not unfounded.

SUBJECT 14.—*Habitual offenders and offenders previously convicted.*

SESSIONS JUDGE, AMRITSAR DIVISION.

(MR. ROBERTS.)

I have observed that previous convictions are not proved in the manner required by law, and unless admitted by the prisoner, I have been unable to take judicial notice of them. Native Magistrates seldom enter the fact and particulars of previous convictions in the charge-sheet. These remarks apply chiefly to Amritsar cases. I have heard fewer appeals from Gurdaspur, and Colonel Harcourt says the provisions of the law are generally observed in his district.

DISTRICT MAGISTRATE, MUZAFFARGARH.

(MR. BROWN.)

I have for the year 1885 issued the following instructions:—

(1). All persons accused under Chapter XII or XVII, I. P. C., and said to have been previously convicted under those Chapters more than once, will be brought before the District Magistrate.

(2). Persons similarly charged and with one previous conviction recorded against them, will be dealt with thus:—

(*a*). If the previous sentence of imprisonment did not exceed 3 months and the conviction was within the last 3 years; or

(*b*). If the previous sentence did not exceed 6 months and the conviction is not within the last 6 years,—by a full-powered Magistrate.

(*c*). In all other cases of second conviction the District Magistrate will pass orders.

(3). Second class Magistrates will only take up cases under Chapter XVII, I. P. C. concerning—

(*a*). Cattle, where the value does not exceed Rs. 15;

(*b*). Other property, where the value does not exceed Rs. 50.

I think the hard and fast rule that all cases of 2nd conviction should be brought first before the Deputy Commissioner, might be modified to this extent.

SUBJECT 15.—*Supervision of Subordinate Courts.*

SESSIONS JUDGE, PESHAWAR DIVISION.

(MR. BENTON.)

The registers of the Courts at the head-quarters of the three Districts were inspected by the Sessions Judge, as reported in No. 126, dated 14th May.

The Chief Court has also received reports from each District as to the work of supervision performed by the Deputy Commissioners; according to the annual reports the work would appear to have been adequately attended to in Hazara, but not in the other two Districts. Although a great many cases may come before the Deputy Commissioner with a view to their disposal by Jirgah or even on appeal, this is not sufficient for the purposes of supervision. When the Deputy Commissioner deals with cases on these occasions, his object is to see that the matter in hand is properly disposed of on its merits, and he will not as a rule stop to correct or to bring defects to the notice of the Subordinate Magistrates with a view to avoidance in future. A general approach to correctness of procedure is only to be obtained in my opinion by special inspections made for the purpose.

SUBJECT 17—*General.*

DISTRICT MAGISTRATE, ROHTAK.

(MR. STEEL.)

The want of a public prosecution in serious criminal cases is much felt even in a District like this. Mostly the accused retain Pleaders in their defence, and though the Court Inspector is supposed to and does appear in my Court and others to prosecute on the part of the Government, yet I have no hesitation in saying that in some cases the guilty get off, from want of a properly trained and legally qualified public prosecutor. It is unfair to expect the Magistrate trying the case to be Pleader for Government as well as Judge, and his responsibilities would be much lightened if some arrangement for a legal appearance on behalf of Government could be devised.